ΒΙΑΘΑΝΑΤΟΣ.

A DECLARATION OF THAT *Paradox*, or *Theſis*, THAT *Self-Homicide* is not ſo Naturally Sin, THAT It may never be Otherwiſe.

WHEREIN,

The NATURE, and the EXTENT of all thoſe LAWS, which ſeem to be Violated by this ACT, are Diligently Surveyed.

WRITTEN by *JOHN DONNE*; Who afterwards Received ORDERS from the CHURCH of ENGLAND; and Died DEAN of St. PAUL's, LONDON.

Non Omnia vera eſſe profiteor, ſed legentium uſibus inſervire. Jo. Saresb. de nugis Curial. Prolog.

LONDON:
Printed in the Year, 1700.

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23 JUL 1964
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TO THE
RIGHT HONOURABLE,
THE
Lord, *Phillip Harbert.*

My Lord,

ALthough I have not exactly obeyed your Commands, yet, I hope, I have exceeded them, by preſenting to your Honour, the *Treatiſe*, which is ſo much the better, by being none of mine own, and may therefore peradventure, deſerve to live, for facilitating the Iſſues of Death.

It was writ long ſince by my Father, and by him, forbid both the Preſs and the Fire; neither had I Subjected it now to the publick View, but that I could find no certain Way to defend it from the One, but by committing it to the Other: For, ſince the Beginning of this War, my Study having been often Searched, all my Books (and almoſt my Brains, by their continual Allarums) ſe-

queſtred, for the Uſe of the Committee; Two Dangers appeared more eminently to hover over this, being then a Manuſcript; a Danger of being utterly loſt, and a Danger of being utterly found; and fathered by ſome of thoſe wild Atheiſts, who, as if they came into the World by Conqueſt, own all other Mens Wits, and are reſolved to be learned, in deſpite of their Stars, that would fairly have enclined them to a more modeſt, and honeſt Courſe of Life.

Your Lordſhip's Protection will defend " this Innocent from theſe Two Monſters, " Men that cannot write, and Men that " cannot read; and, I am very confident, all thoſe that can, will think it may deſerve this Favour from your Lordſhip: For, although this Book appear under the Notion of a Paradox, yet I deſire your Lordſhip to look upon this Doctrine, as a firm and eſtabliſhed Truth.

Da vida oſar morir.

Your Lordſhip's moſt Humble Servant,

JO. DONNE.

AUTHORS cited in this BOOK.

Beza,
B. Dorotheus,
Bosquierus,
Athenagoras,
Causæus,
Trismegistus,
Theodoricus A. Niem.
Steuchius Eugubi,
Ennodius,
Pererius,
Zambranus,
Alcoran,
Corpus Jur. Canon.
Carbo, Summa Summarum,
Polidorus Virgilius,
Matal. Metellus, Præfat. in Osor. Histor.
Pierius,
S. Ambrosius,
Cardanus,
Tholosa. Syntagm.
S. Cyprianus,
Hadri. Junius,
Emanuel Sá,
Nicephorus,
S. Gregorius,
Vasques,
Clarus Bonarscius,
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Bracton,
Plowden,
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Climachus,
Basil,
Filesacus,
Compianus,
S. Hieronimus,
Ben. Gorion,
Plinius,
Paleotus de Noth.
Canones Pœnitenti.
Clemens Alex.
Sotus,
Bodin,
Sylvius,
Middendorpius,
Lucidus,
Arpilcueta,
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Jo. Picus,
Heurnius,
Latinus Pacatus,
Platina,
Baronius,
Ignatius,
Alfon. Castro,
Schultingius,
Plato,
Simancha,
Alb. Gentilis,
Pruckmannus,
P. Pomponatius,
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Anto. de Corduba,
Thyræus,
Lavater,
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Maldonatus,
Bonaventura,
Gregor. Nazianz.
Canones Apostolorum,
Lucas de Penna,
Optinelius,
Laertius,
Binsfeldius,
Pedraca,
Sextus Senensis,

Paracelſus,
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Surius,
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Brentius,
Theophilact,
Heſichius,
Marloratus,
Schluſſelburgius,
Agapetus,
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Martialis ad Tholo.
Saravia,
Sylveſter,
Liber Coformitatum S. Franc. & Chriſti.
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Supplem Chronic.
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Menghi,
Joan de Lapide,
Hippocrates,
Bellarminus,
Revelation. Brigidæ,
Regul. Jeſuit.
Franc. Gregorius,
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Alcuinus,
Corn. Celſus,
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Baldus,
Ariſtoteles,
Stanford,
Bartolus,
P. Martyr,
Declaration des Doctes en France,
Sedulius Minorita,
Jo. Gerſon,
Lylius Geraldus,
Mariana,
Sanſovinus,
Lambert,
Fra. a Victoria,
Wierus,
Kepplerus,
Lyra,
Burgenſis,
P. Lombard,
Sophronius,
Schultetus,
Euthymius,
Paterculus,
Caſſanæus.

IN citing theſe Authors, for thoſe which I produce only for Ornament and Illuſtration, I have truſted my own old Notes; which, though I have no Reaſon to ſuſpect, yet I confeſs here my Lazineſs; and that I did not refreſh them with going to the Original. Of thoſe few which I have not ſeen in the Books themſelves, (for there are ſome ſuch, even of Places cited for greateſt Strength,) beſides the Integrity of my Purpoſe, I have this ſafe Defence againſt any Quarreller, that what Place ſoever I cite from any Catholick Author, if I have not conſidered the Book it ſelf, I cite him from another Catholick Writer. And the like Courſe I hold in the Reformers. So that I ſhall hardly be condemned of any falſe Citation, except to make me Acceſſory, they pronounce one of their own Friends Principal.

A DISTRIBUTION OF THIS BOOK INTO Parts, Diſtinctions, and Sections.

PREFACE.

1 *THE Reaſons of this Diſcourſe.*
2 *Incitements to Charity towards thoſe which do it.*
3 *Incitements to Charity towards the Author.*
4 *Why it is not inconvenient now to handle this.*
5 *Diſſentions among Scholars more and harder to end than among others.*
6 *In ſuch Perplexities we ought to incline to that ſide which favours the Dead.*
7 *Why I make it ſo publick.*
8 *What Reader I deſire to have.*
9 *The Reaſons why there are ſo many Citations.*
10 *God puniſheth that Sin moſt, which occaſions moſt Sin in others.*

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1 *Three sorts of Mistakers of this Sin.*

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3 *When it is* pœna peccati *it is* involuntarium.
4 *The Reason why Men ordinarily aggravate Desparation.*
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4 *What true Repentance is by* Clement.
5 *Witnesses which acquit, more credited than they which accuse in the Canon Law.*

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3 *St.* Paul's *Uſe of that Phraſe Law of Nature, in long Hair.*

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2 *Things natural to the* Species, *are not always ſo to the* Individual.

3 *Thereupon ſome may retire into Solitude.*

4 *The firſt Principles in Natural Law, are obligatory, but not Deductions from thence, and the lower we deſcend the weaker they are.*

5 *Pellicans. And by St.* Ambroſe, *Bees kill themſelves.*

6 *The Reaſon of almoſt every Law is mutable.*

7 *He that can declare where the Reaſon ceaſes, may diſpence with the Law.*

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9 *As nothing can annul the Prerogatives of Princes, or of Popes, though their own Act ſeem to provide againſt it; ſo no Law ſo much deſtroys Man's Liberty, but that he returns to it, when the Reaſon of that Law ceaſes.*

10 *Self-preſervation, which is but an Appetition of that which is good in our Opinion, is not violated by* Self-homicide.

11 *Liberty, which is naturally to be preſerved, may be departed withal, when our Will is to do ſo.*

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1 *That cannot be againſt Law of Nature, which Men have ever affected, if it be alſo (as this is) againſt ſenſitive Nature, and ſo want the Allurements which other Sins have.*

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5 *Wives in the* Indies *do it yet.*
6 *The* Samanæi *Prieſts in the* Indies, *notorious for good Life and Death did it.*
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7 *God's Puniſhment upon their Perſecutors encouraged Men to it.*
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11 *Flight in Perſecution condemned by* Tertullian.
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2 *They laboured the Magiſtrate to oppoſe this Deſire.*
3 Baſilides *denied Chriſt to have been crucified; and that therefore they died madly.*
4 Helcheſar, *that outward Profeſſion of Religion was not needful; much leſs Martyrdom.*
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5 *Of* Depontani.
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4 *Of*

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4 *That it was only a Dioceſan Council.*
5 *The Council* Braccat. *inflicts Two Puniſhments.*
6 *The Firſt, of not praying for them, is meant of them who did it, when they were excommunicate.*

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4 *That our natural Deſire to ſuch Dying, probably induced this cuſtomary Law.*

5 *As in States abounding with Slaves, Law-makers quenched this Deſire, leſt there ſhould have been no Uſe of them.*

6 *Forbid leſt it ſhould draw too many: As Hunting, and Uſury: And as Wine by* Mahomet.

7 *Upon Reaſon of general Inclinations we have ſevere Laws againſt Theft.*

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9 Sotus *his Opinion of Day-thieves.*

10 *Of a like Law againſt* Self-homicide *in the Earldom of* Flanders.

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5 *Jeſuits often beholding to* Calvin *for his Expoſitions.*
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7 *Nor in the ſecond cited by* Gratian.
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Sect. 4.

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5 *Damnation hath not ſo much* Rationem mali, *as the leaſt Sin.*
6 *If Death were of the worſt Sort of Evil, yet there might be good Uſe of it, as of Concupiſcence.*
7 *In what Senſe St.* Paul *calls Death God's Enemy.*
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4 *Of ſuch Juriſdiction in other Perſons by Civil* Laws.
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8 *In Caſes hurtful we have ſuch Juriſdiction.*
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11 *War is juſt between Sovereign Kings, becauſe they have no Judge.*
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2 *Of that Part of Injuſtice, which is ſtealing himſelf from the State.*

3 *Monaſtick Retiring is,* in Genere rei, *the ſame Fault.*

4 *The better Opinion is, that there is herein no Injuſtice.*

5 *Of the other Injuſtice, of Uſurping upon another's Servant.*

6 *Though we have not* Dominium, *we have* Uſum *of this* Life: *And we may relinquiſh it when we will.*

7 *The* State *is not* Lord *of our* Life, *yet may take it away.*

8 *If Injuſtice were herein done to the* State, *then by a* Licenſe *from the* State *it may be lawful.*

9 *And the* State *might recompence her Damage upon the Goods or Heir of the Delinquent.*

10 *In a Man neceſſary to the* State, *there may be ſome Injuſtice herein.*

11 *No Man can do Injury to himſelf.*

12 *The Queſtion whether it be againſt Charity, reſpited to the Third Part.*

Sect. 2.

1 *Of* Ariſtotle's *Two Reaſons of Miſery and Puſilanimity.*

Diſt. 6. Sect. 1.

1 *Of Reaſons on the other Side.*

2 *Of the* Law *of* Rome, *of asking the* Senate Leave *to kill himſelf.*

3 *Of the Case upon that* Law *in* Quintillian.

Sect. 2.

1 *Comparisons of Desertion and Destruction.*
2 *Of Omissions equal to Committings.*

Sect. 3.

1 *In great Faults the first Step imprints a Guiltiness, yet many* Steps *to* Self-homicide *are allowable.*
4 Draco's *Laws against* Homicide *were retained for the Heinousness of the Fault.*
5 Tolet's *Five* Species *of* Homicide.
6 *Four of these were to be found in* Adam's *first* Homicide *in Paradise.*

Sect. 4.

7 *Of* Tolet's *first and second* Species, *by Precept, and by Advice, or* Option.
8 *We may wish* Malum pœnæ *to our selves, as the Eremite prayed to be possessed.*
9 *That we may wish Death for Weariness of this* Life.
10 *It is Sin to wish the Evil were not Evil, that then we might wish it.*
11 *Of wishing the Prince's Death.*
12 *In many* Opinions *by contrary Religion, a true King becomes a Tyrant.*
13 *Why an* Oath *of Fidelity to the Pope binds no Man.*
14 *Who is a Tyrant by the Declaration of the learned Men of* France.
15 *How Death may be wished by* Calvin's *Opinion.*
16 *How we may wish Death to another for our own Advantage.*
17 Phil. Nerius *consented that one who wished his own Death might have his Wish.*

Sect. 5.

1 *Of* Tolet's *third* Species *of* Homicide, *by Permission, which is* Mors Negativa.
2 *Of standing mute at the Bar.*

3 *Three Rules from* Sotus, Navar, *and* Maldonate, *to guide us in these* Desertions *of our selves.*
4 *That I may suffer a Thief to kill me, rather than kill him.*
5 *Of* Se defendendo *in our* Law.
6 *That I am not bound to escape from Prison if I can. Nor to eat, rather than starve.*
7 *For Ends better than this* Life *we may neglect this.*
8 *That I may give my* Life *for another.*
9 Chrysostome's *Opinion of* Sarah's Lye, *and her Consent to Adultery. And St.* Augustine's *Opinion of this, and of that Wife, who prostituted her self to pay her Husband's* Debts.
10 *That to give my* Life *for another, is not to prefer another before my self, as* Bonaventure *and* Augustine *say; but to prefer Vertue before* Life; *which is lawful.*
11 *For Spiritual Good it is without Question.*
12 *That I may give another that without which I cannot live.*
13 *That I may lawfully wear out my self with Fasting.*
14 *That this in St.* Hierome's *Opinion is* Self-homicide.
15 *Of the Fryar whom* Cassianus *calls a* Self-homicide, *for refusing Bread from a Thief, upon an indiscreet Vow.*
16 *Of Christ's Fast.*
17 *Of Philosophers inordinate Fasts.*
18 *Of the Devil's threatning St.* Francis *for Fasting.*
19 *Examples of long Fasts.*
20 *Reasons, Effects, and* Obligations *to rigorous Fastings,*
21 *Corrollary of this Section of Desertion.*

Sect. 6.

1 *Of another* Species *of* Homicide, *which is not in* Tolet's *Division by Mutilation.*
2 *Of Delivering ones self into Bondage.*
3 *By divers Canons* Homicide *and Mutilation is the same Fault.*
4 *Of* Calvin's *Argument against* Divorce, *upon this Ground of Mutilation.*

5 *The Example of St.* Mark, *cutting off his Thumb to escape Priesthood.*
6 *In what Case it is clear, that a Man may maim himself.*

Sect. 7.

1 Of Tolet's *fourth* Species *of* Homicide, *by actual Helping.*
2 Ardoynus *reckons a Flea amongst Poysons, because it would destroy.*
3 David *condemned the* Amalekite, *who said he had helped* Saul *to kill himself.*
4 Mariana *the Jesuit is of Opinion, that a King which may be removed by Poyson, may not be put to take it by his own Hands though ignorantly, for he doth then kill himself.*
5 *That a Malefactor unaccused may accuse himself.*
6 Of Sanfovin's *Relation of our Custom at Executions, and withdrawing the Pillow in desparate Cases.*
7 Of *breaking the* Legs *of Men at Executions, and of breaking the Halter.*
8 Of *the Form of Purgations used by* Moses's Law *in Cases of Jealousie.*
9 *Of Forms of Purgation called* Vulgares.
10 Charlemaine *brought in a new Form of Purgation.*
11 *And* Britius *a Bishop, being acquitted before, extorted another Purgation upon himself.*
12 *Both kinds of* Ordalium, *by Water, and Fire, in use here, till King* John's *Time.*
13 *In all these Purgations, and in that by Battail, the Party himself assisted.*
14 *Examples of actual Helpers to their own Destruction in St.* Dorothæus's *Doctrine.*
15 *Of* Joseph *of* Arimathæa *his drinking of Poyson.*
16 *Of St.* Andrew *and St.* Lawrence.
17 *Casuists not clear whether a condemned Man may do the last Act to his Death.*

18 *But in Caſes without Condemnation, it is* ſub Præcepto *to Prieſts, Curates, to go to infected Houſes.*

Sect. 8.

1 *Of* Tolet's *laſt* Species *of* Homicide, *which is the Act it ſelf.*

2 *How far an erring Conſcience may juſtifie this Act.*

3 *Of* Pythagoras's *philoſophical Conſcience to die, rather than hurt a Bean, or ſuffer his Scholars to ſpeak.*

4 *Of the Apparition to* Hero, *a moſt devout* Eremite, *by which he killed himſelf, out of* Caſſianus.

5 *That the Devil ſometimes ſollicits to Good.*

6 *That by* Vaſques *his Opinion, it is not Idolatry to worſhip God in the Devil.*

7 *Rules given to diſtinguiſh evil Spirits from God are all fallable.*

8 *Good Angels ſometimes move to that which is evil, being ordinarily and morally accepted.*

9 *As in Miſ-adoration by* Vaſques, *invincible Ignorance excuſes, ſo it may in our Caſes.*

10 *Of St.* Auguſtine's *firſt Reaſon againſt* Donatus, *that we may ſave a Man's Life againſt his Will.*

11 *Of his ſecond Reaſon, which is want of Examples of the Faithful. And of St.* Auguſtine's *aſſured Eſcape, if* Donatiſts *had produced Examples.*

12 *Divorce in* Rome *on either Part, and in* Jury, *on the Woman's Part long without Examples.*

13 *St.* Auguſtine's *Scholars in this Point of Examples, as ſtubborn as* Ariſtotle's, *for the Inalterableneſs of the Heavens, though the Reaſon of both be ceaſed.*

14 *Of the Martyr* Apollonia *who killed her ſelf.*

15 *Of Anſwers in her Excuſe.*

16 *Of the Martyr* Pelagia, *who killed her ſelf.*

17 *Though her Hiſtory be very uncertain, yet the Church ſeems glad of any occaſion to celebrate ſuch a Fact.*

18 *St.* Auguſtine's *Teſtimony of her.*

19 *St.* Ambroſe's *Meditation upon her.*

20 Eu-

20 Euſebius's *Oration incitatory, imagined in the Perſon of the Mother.*
21 *St.* Auguſtine's *firſt of any doubting of their Fact, ſought ſuch Shifts to defend it, as it needed not.*
22 *St.* Auguſtine's *Example hath drawn* Pedraca, *a* Spaniſh *Caſuiſt, and many others, to that Shift of ſpecial Divine Inſpiration, in ſuch Caſes.*
23 *And ſo ſays* Peter Martyr *of the Midwives, and of* Rahab's *Lye.*
24 *To preſerve the Seal of Confeſſion, a Man may in ſome Caſe be bound to do the intire Act of killing himſelf.*

The Third Part, which is of the Law of GOD.

Diſtinct. 1. Sect. 1.

1 *An Introduction to the handling of theſe Places of Scripture.*
2 *Why I forbear to name them who cite theſe places of Scripture.*
3 *If any oppoſe an Anſwer, why I intreat him to avoid Bitterneſs.*
4 *Why Clergy-men, which by Canons may fiſh and hunt, yet may not hunt with Dogs.*
5 *Of* Beza's *Anſwer to* Ochius's *Polygamy.*

Diſtinct. 2. Sect. 1.

1 *No place againſt this* Self-homicide, *is produced out of the Judicial or Ceremonial Law.*

Sect. 2.

1 *Of the place,* Gen. 9. 5. *I will require your Blood.*
2 *We are not bound to accept the Interpretation of the* Rabbins.
3 *Of* Lyra, *and of* Emanuel Sâ, *both abounding in Hebraiſms, yet making no ſuch Note upon this place.*

Sect. 3.

1 *Of the place,* Deut. 3. 39. *I Kill, and I give Life.*
2 *Juriſdiction of Parents, Husbands, Maſters, Magiſtrates, muſt conſiſt with this place.*

3 *This place muſt be interpreted as the other places of Scriptures, which have the ſame Words. And from them, being three, no ſuch Sence can be extorted.*

Sect. 4.

1 *Of the place,* Job 7. 1. Vita militia.
2 *Why they cite this place according to the vulgate Copy.*
3 *Of Soldiers Privileges, of abſence by Law.*
4 Job's *Scope is, That as War works to peace, ſo here we labour to Death.*
5 *Of Chriſt's Letter to King* Abgarus.

Sect. 5.

1 *Of another place in* Job 7. 15. Anima elegit ſuſpendium
2 *Why it was not lawful to* Job *to kill himſelf.*
3 *His Words ſeem to ſhew ſome Steps toward a Purpoſe of* Self-homicide.
4 *Of* Sextus Senenſis, *and of* Gregory's *Expoſition thereof.*
5 *How I differ from the Anabaptiſts, who ſay that* Job *deſpaired.*
6 *S.* Hierome, *and the* Trent *Council incur this Error of condemning all which a condemned Man ſays.*
7 *Very holy and learned Men impute a more dangerous Deſpair to Chriſt, than I do to* Job.

Sect. 6.

1 *Of the place,* Jo. 2. 4. *Skin for Skin,* &c.

Sect. 7.

1 *Of the place,* Eccleſ. 30. 16. *There is no Riches above a ſound Body.*
2 *This place is not of Safety, but of Health.*

Sect. 8.

1 *Of the place,* Exod. 20. *Thou ſhalt not kill.*
2 *St.* Auguſtine *thinks this Law to concur ones ſelf more directly than another.*
3 *This Law hath many Exceptions.*
4 *Laws of the firſt Table are* ſtrictioris vinculi, *than of the ſecond.*
5 *A Caſe wherein it is probable that a Man muſt kill himſelf, if the Perſon be exemplar.*

6 *As Laws againſt Day-Thieves may be deduced from the Law of God, authorizing Princes, ſo may this from the Commandment, of preferring God's Glory.*
7 *Whatſoever might have been done before this Law, this Law forbids not.*

Sect. 9.

1 *Of the place,* Wiſd. 1. 12. *Seek not Death.*

Diſt. 3. Sect. 1.

1 *Of the place,* Mat. 4. 6. *Caſt thy ſelf down.*
2 *That Chriſt when it conduced to his own Ends, did as much as the Devil tempted him to in this place.*

Sect. 2.

1 *Of the place,* Acts 16. 17. *Do thy ſelf no harm.*
2 *St.* Paul *knew God's Purpoſe of baptizing the Jaylor.*
3 *For elſe, ſaith* Calvin, *he had fruſtrated God's Way of giving him an Eſcape by the Jaylor's Death.*

Sect. 3.

1 *Of the place,* Rom. 3. 8. *Do not Evil for Good.*
2 *In what Sence* Paul *forbids this.*
3 *God always inflicts* malum pœnæ *by Inſtruments.*
4 *Induration it ſelf is ſometimes medicinal.*
5 *We may inflict upon ſelves one Diſeaſe, to remove another.*
6 *In Things evil, in that Sence as St.* Paul *takes the Word here, Popes daily diſpence.*
7 *So do the Civil Laws.*
8 *So do the Canons.*
9 *So doth God occaſion leſs Sins to avoid greater.*
10 *What any other may diſpence withal in us, in Caſes of Extremity, we may diſpence with it our ſelves.*
11 *Yet no Diſpenſation changes the Nature of the Thing, and therefore that particular Thing was never evil.*
12 *The Law it ſelf, which meaſures Actions, is neither good nor evil.*
13 *Which* Picus *notes well, comparing it to the Firmament.*
14 *What Evil St.* Paul *forbids here, and why.*
15 *Nothing which is once evil, can ever recover of that.*

16 *Theſe*

16 *These Acts were in God's Decree preserved from those stains of Circumstances, which make things evil: So as Miracles were written in his Book of Nature, though not in our Copy thereof; and so, as our Lady is said to be preserved from Original Sin.*

17 *Of that kind was* Moses *killing of the* Egyptian.

18 *If this place of* Paul *be understood of all Evil.*

19 *Yet it must admit Exceptions, as well as the* Decalogue *it self.*

20 *Otherwise that Application which* Bellarmine *and others do make of it will be intollerable.*

Sect. 4.

1 *Of divers places which call us,* Temples of God.

2 *The Dead are still his Temples and Images.*

3 *Heathen Temples might be demolished, yet the Soil remained Sacred.*

4 *St.* Paul's *Reason holds in Cases where we avile our Bodies, here we advance them.*

5 *How we must understand that our Body is not our own.*

Sect. 5.

1 *Of the place,* Ephes. 4. 15. *One Body with Christ.*

2 *This place gives Arguments to all which spare not themselves for relief of others, and therefore cannot serve the contrary purpose.*

Sect. 6.

1 *Of the place,* Eph. 5. *No Man hates his own Flesh.*

2 *How* Marlorate *expounds this Hate.*

Dist. 4. Sect. 1.

1 *Of the places of Scripture on the other part.*

2 *We may, but our Adversaries may not make use of Examples. To which the Answer of* Martyr *and* Lavater *is weak.*

3 *The Nature, Degrees and Effects of Charity.*

4 *St.* Augustine's *Description of Her. Of her highest Perfection beyond that which* Lombard *observed out of* Aug.

5 *He who loves God with all his Heart, may love him more.*

6 *Any ſuffering in Charity, hath infallibly the Grace of God*; *by* Aquin.

Sect. 2.

1 *Of the place,* 1 Cor. 13. 4. *Though I give my Body.*
2 *By this, it was in common Reputation, a high Degree of Perfection to die ſo, and Charity made it acceptable.*
3 St. Paul *ſpeaks of a Thing which might lawfully be done, for ſuch are all his Gradations in this Argument.*
4 *Tongues of Angels, in what ſence in this place.*
5 *Speech in the Aſs, underſtandings of Prophecies in* Judas, *or miraculous Faith, make not the Poſſeſſor the better.*
6 *How I differ from the Donatiſts, arguing from this place, that in Charity there* Self-homicides *were always lawful.*
7 *To give my Body, is more than to let it be taken.*
8 *How* Nicephorus *the Martyr gave his Body in* Sapritius *his room, who recanted.*
9 *There may be ſome Caſe that a Man who is bound to give his Body, cannot do it otherwiſe than by* Self-homicide.

Sect. 3.

1 *Of the place,* Joh. 10. 11. & Joh. 15. 13. *The good Shepherd.*
2 *That a Man is not bound to purge himſelf, if another's Crime be imputed to him.*

Sect. 4.

1 *Of the place,* Joh. 13. 37. *I will lay down my Life.*
2 Peter's *Readineſs was natural*; Paul's *deliberate.*

Sect. 5.

1 *Of the place,* Joh. 10. 15. *Of Chriſt's Example.*
2 *Why Chriſt ſpoke this in the preſent time.*
3 *Of the abundant Charity of Chriſt.*
4 *Of his Speech going to* Emmaus.
5 *Of his Apparition to St.* Charles.
6 *Of the Revelation to* St. Brigid.
7 *Of his Mother's Charity.*
8 *That none could take away Chriſt's* Soul.
9 *His own Will the only Cauſe of his dying ſo ſoon, by* St. Auguſtine.

10 *And by* Aquinas, *becauſe he had ſtill all his* Strength.
11 *And by* Marlorate *becauſe he bowed his Head, and it fell not, as ours do in Death.*
12 *In what Senſe it is true that the* Jews *put him to Death.*
13 *Of* Aquinas's *Opinion, and* Silveſter's *Opinion of* Aquinas.
14 *Chriſt was ſo the Cauſe of his Death, as he is of his Wetting, which might, and doth not ſhut the Window when it rains.*
15 *Who imitated Chriſt in this actual Emiſſion of the Soul.*
16 *Upon what Reaſons this Manner of Dying in Chriſt is called Heroick, and by like Epithets.*
17 *Chriſt is ſaid to have done herein, as* Saul, *and* Appollonia, *and ſuch.*

Sect. 6.

1 *Of the Places* John 12. 25. Luke 14. 26. *Of Hating this Life.*
2 *Jeſuits apply particularly this Hate.*
3 *If the Place in the* Epheſ. *No Man hateth his Fleſh, be againſt* Self-homicide, *this Place muſt by the ſame Reaſon be for it.*
4 *St.* Auguſtine *denying that this Place juſtifies the* Donatiſts, *excludes not all Caſes.*

Sect. 7.

1 *Of the Place* 1 John 3. 16. *We ought to lay down our Lives,* &c.
2 *All theſe Places direct us to do it ſo, as Chriſt did it, unconſtrained.*

Sect. 8.

1 *Of the Place* Phil. 1. 23. Cupio diſſolvi.
2 *Of St.* Paul's *Gradations to this Wiſh, and of his Correcting of it.*

Sect. 9.

1 *Of the Place* Gal. 4. 15. *You would have plucked out your own Eyes.*

2 *This*

2 *This was more than* Vitam profundere, *by* Calvin.

Sect. 10.

1 *Of the Place,* Rom. 9. 3. *Anathema.*
2 *That he wiſhed herein Damnation.*
3 *That he conſidered not his Election at that Time.*

Sect. 11.

1 *Of the Place,* Exod. 32. 32. Dele me de libro.
2 *That this Imprecation was not only to be blotted out of the Hiſtory of the Scripture as ſome ſay.*
3 *It was ſtranger that Chriſt ſhould admit that which might ſeem a Slip downward, when he wiſh'd an Eſcape from Death, than that* Moſes *ſhould have ſuch an Exaltation upward, as to ſave his Nation by periſhing, yet both without Inordinateneſs.*
4 *How by* Paulinus, *a juſt Man may ſafely ſay to God,* Dele me.

Diſt. 5. Sect. 1.

1 *Of Examples in Scripture.*
2 *The Phraſe of Scripture never imputes this Act to any as a Sin, when it relates the Hiſtory.*
3 Irenæus *forbids Man to accuſe where God doth not.*
4 Beza's *Anſwer to* Ochius's *Reaſon, that ſome Patriarchs lived in Polygamy, reaches not home to our Caſe.*
5 *For it is not evident by any other Place of Scripture, that this is Sin, and here many Examples concur.*

Sect. 2.

1 *Examples of Acts which were not fully* Self-homicides, *but Approaches.*
2 *Of the Prophet who puniſhed him that would not ſtrike him.*
3 *That when God doth eſpecially invite Men to ſuch Violence, he ſays ſo plainly. And therefore ſuch particular Invitations may not be preſumed where they are not expreſſed.*

Sect.

Sect. 3.

1 *Of* Jonas.
2 *Why St.* Hierome *calls only* Jonas *of all the Prophets holy.*

Sect. 4.

1 *Of* Sampſon.
2 *The Church celebrates him as a Martyr.*
3 Paulinus *wiſhes ſuch a Death as* Sampſon's.
4 *They which deny that he meant to kill himſelf, are confuted by the Text.*
5 *They which ſay, he intended not his own Death principally, ſay the ſame as we do.*
6 *That St.* Auguſtine's *Anſwer to this Fact, that it was by ſpecial Inſtinct, hath no Ground in the Hiſtory.*
7 *Of* Sayr's *Reaſon, in Confirmation of* Auguſtine, *That* Sampſon *prayed.*
8 *Of* Pedraca's *Reaſon, that it was therefore the Work of God, becauſe God effected it ſo, as it was deſired.*
9 *That he had as much Reaſon, and as much Authority to kill himſelf, as to kill the* Philiſtines. *And that was only the Glory of God.*
10 *That in this Manner of Dying, he was a Type of Chriſt.*

Sect. 5.

1 *Of* Saul.
2 *Whether the* Amalekite *did help to kill* Saul. *Whether* Saul *be ſaved, or no.*
3 *In what Caſes the* Jews, *and* Lyra *confeſs, that a Man may kill himſelf.*
4 Lyra's *Reaſons why* Saul *is to be preſumed to have died well.*
5 Burgenſis's *Reaſon to the Contrary: That if* Saul *were excuſable, the* Amalekite *was ſo too, is of no Force.*
5 *Of* Saul's *Armour-bearer.*

Sect. 6.

1 *Of* Achitophel.
2 *He ſet his Houſe in Order, and he was buried.*

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Sect. 7.

1 Of Judas.
2 *He died not by Hanging in the Opinion of* Euthymius, Oecumenius, Papius, *St.* John's *Diſciple, and* Theophilact.
3 *By what Means many Places of Scripture have been generally otherwiſe accepted, than the Text enforceth.*
4 Judas *not accuſed of this in the Story, nor in the Two prophetical Pſalms of him.*
5 Origen's *Opinion of his Repentance.*
6 Calvin *acknowledgeth all Degrees of Repentance, which the* Roman *Church requires to Salvation to have been in* Judas.
7 Petilian's *Opinion that* Judas *was a Martyr.*
8 *His Act had ſome Degrees of Juſtice, by St.* Auguſtine.

Sect. 8.

1 Of Eleazar.
2 *All confeſs that it was an Act of Vertue.*
3 *His Deſtruction was certain to him.*
4 *He did as much to his own Death as* Sampſon.
5 *The Reaſons of this Act, alledged in the Text, are moral.*
6 *St.* Ambroſe *extols this by many Concurrences.*
7 Cajetan's *Reaſon for Juſtification thereof, is appliable to very many other Caſes of* Self-homicide.

Sect. 9.

1 Of Raſis.
2 *His Reaſons in the Text Moral.*
3 *Whether it be Puſilanimity, as* Ariſtotle, Auguſtine, *and* Aquinas *urge.*
4 *St.* Auguſtine *confeſſeth that in* Cleombrotus, *it was Greatneſs of Mind.*
5 *How much great Examples govern.*
6 *That it was reputed Cowardlineſs in* Antiſthenes, *being extreamly ſick, not to kill himſelf.*
7 *Upon what Reaſons* Lyra *excuſes this, and like Actions.*
8 Burgenſis *his Reaſon confeſſeth, that there might have been juſt Cauſes for this Act.*

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CONCLUSION.

1 *Why I refrained Diſcourſe of Deſtiny herein.*
2 *Man made of* Shadow, *and the Devil of Fire, by the* Alcoran.
3 *Our Adverſaries Reaſons contradict one another.*
4 *No Precept given of loving our ſelves.*
5 *Encouragements to Contempt of Death.*
6 *Why I abſtain from particular* Directions.
7 *Laws forbid ordinary Men to cure by extraordinary Means, yet Kings of* England, France *and* Spain *do it.*
8 *As* Hierome, Origen, Chryſoſtome *and* Caſſianus *are excuſed for following* Plato, *in Toleration of a Lye, becauſe the Church had not then pronounced; ſo may it be in this.*

THE

THE PREFACE,

Declaring the *Reaſons*, the *Purpoſe*, the *Way*, and the *End* of the Author.

BEZA, a Man as emienent and illuſtrious, in the full Glory and Noon of Learning, as others were in the Dawning and Morning, when any, the leaſt Sparkle was notorious, (a) confeſſeth of himſelf, that only for the Anguiſh of a Scurff, which overran his Head, he had once drown'd himſelf from the Miller's Bridge in *Paris*, if his Uncle by chance had not then come that Way; I have often ſuch a ſickly Inclination. And, whether it be, becauſe I had my firſt Breeding and Converſation with Men of a ſuppreſſed and afflicted Religion, accuſtomed to the Deſpite of Death, and hungry of an imagin'd Martyrdom; or that the common Enemy find that Door worſt locked againſt him in me; or that there be a Perplexity and Flexibility in the Doctrine it ſelf; or becauſe my Conſcience ever aſſures me, that no rebellious Grudging at God's Gifts, nor other ſinful Concurrence accompanies theſe Thoughts in me, or

1. The Reaſon of this Diſcourſe.

(a) *Epiſt. ante Confeſſionem.*

or that a brave Scorn, or that a faint Cowardlineſs beget it; whenſoever any Affliction aſſails me, methinks I have the Keys of my Priſon in mine own Hand, and no Remedy preſents it ſelf ſo ſoon to my Heart, as mine own Sword. Often Meditation of this hath won me to a charitable Interpretation of their Action, who die ſo; and provoked me a little to watch and exagitate their Reaſons, which pronounce ſo peremptory Judgments upon them.

Incitements to Charity towards the Doer.

(*b*) A devout and godly Man, hath guided us well, and rectified our Uncharitableneſs in ſuch Caſes, by this Remembrance, [*Scis lapſum*, &c. *Thou knoweſt this Man's Fall, but thou knoweſt not his Wreſtling; which perchance was ſuch, that almoſt his very Fall is juſtified, and accepted of God*] For, to this End, ſaith one, (*c*) [*God hath appointed us Temptations, that we might have ſome Excuſes for our Sins, when he calls us to Account.*]

An uncharitable Miſinterpreter unthriftily demoliſhes his own Houſe, and repairs not another's. He loſeth without any Gain or Profit to any. And, (as (*d*) *Tertullian* comparing and making equal, him which provokes another, and him who will be provoked by another, ſays, [*There is no difference, but that the Provoker offended firſt; and that is nothing, becauſe in Evil there is no reſpect of Order or Priority.*] So we may ſoon become as ill as any Offender, if we offend in a ſevere Increpation of the Fact. For, (*e*) *Climachus* in his *Ladder of Paradice*, places theſe Two Steps very near one another, when he ſays, [*Though in the*

(b) *B. Dorotheus Doctrin.* 6. (c) *Boſq. conc.* 2. (d) *Lib. de patienta.* (e) *Scala Paradiſ. grad.* 3.

the World it were poſſible for thee to eſcape all defiling by actual Sin, yet by judging and condemning thoſe who are defiled, thou art defiled.] In this thou art defiled, as (*f*) *Baſil* notes, [*That in comparing others Sins, thou canſt not avoid excuſing thine own.*] Eſpecially this is done, if thy Zeal be too fervent in the Reprehenſion of others: For, as in moſt other Accidents, ſo in this alſo, Sin hath the Nature of Poyſon, that (*g*) [*It enters eaſieſt, and works faſteſt upon Cholerick Conſtitutions.*] It is good Counſel of the Phariſees ſtyled, (*h*) [*Ne judices proximum, donec ad ejus locum pertingas.*] Feel and wreſtle with ſuch Temptations as he hath done, and thy Zeal will be tamer. For, (*i*) [*Therefore*, ſaith the Apoſtle, *it became Chriſt to be like us, that he might be merciful.*]

If therefore after a Chriſtian Proteſtation of an innocent Purpoſe herein; and after a Submiſſion of all which is ſaid, not only to every Chriſtian Church, but to every Chriſtian Man, and after an Entreaty, that the Reader will follow this Advice of *Tabæus*, [(*k*) *Qui litigant, ſint ambo in conſpectu tuo mali & rei,*] and truſt neither me, nor the adverſe Part, but the Reaſons, there be any Scandal in this Enterprize of mine, it is taken, not given. And though I know, that the malicions prejudged Man, and lazy Affecters of Ignorance, will uſe the ſame Calumnies and Obtrectations towards me, (for the Voice and Sound of the Snake and Gooſe is all one) yet becauſe I thought, that as in the Pool of *Bethſaida*, (*l*) there was no Health till the Water was troubled;

Incitements to Charity towards the Author.

(f) *In quæſt. fuſe diſp. ad q.* 6. (g) *Foreſt. de venenos. in Obſervat.* 2. (h) *Serar. Tribæreſ.* l. 2. cap. 17. (i) *Heb.* 2.17. (k) *Serar. Tribæreſ.* l. 2. c. 17. (l) *Jo.* 5.2.

bled, ſo the beſt Way to find the Truth in this Matter, was to debate and vex it, (for (*m*) [*We muſt as well diſpute* de veritate, *as* pro veritate,]) I abſtained not for fear of Miſinterpretation from this Undertaking. Our Stomachs are not now ſo tender, and queaſie, after ſo long feeding upon ſolid Divinity, nor we ſo umbragious and ſtartling, having been ſo long enlightned in God's Path, that we ſhould think any Truth ſtrange to us, or relapſe into that Childiſh Age, in which (*n*) a Council in *France* forbad *Ariſtotle*'s Metaphyſicks, and puniſhed with Excommunication the Excribing, Reading, or having that Book.

Why it is not inconvenient now to handle this Point.

Diſſentions among Scholars more and harder to end than others.

Contemplative and bookiſh Men, muſt of neceſſity be more quarrelſome than others, becauſe they contend not about Matter of Fact, nor can determine their Controverſies by any certain Witneſſes, nor Judges. But as long as they go towards Peace, that is Truth, it is no matter which way. (*o*) The Tutelare Angels reſiſted one another in *Perſia*, but neither reſiſted God's revealed Purpoſe. (*p*) *Hierome* and *Gregory* ſeem to be of Opinion, that *Solomon* is damned; *Ambroſe* and *Auguſtine*, that he is ſaved: All Fathers, all zealous of God's Glory. (*q*) At the ſame time when the *Roman* Church Canonized *Becket*, the Schools of *Paris* diſputed whether he could be ſaved; both Catholick Judges, and reverend Authority. And after ſo many Ages of a devout and religious Celebrating the Memory of Saint *Hierome*, *Cauſæus* hath ſpoken ſo dangerouſly, that (*r*) *Campian* ſays, he pronounces him to be

(m) *Athenag. de Reſur.* (n) *Fileſacus de Authorit. Epiſ.* c. 1. § 7. (o) *Dan.* 10. (p) *Humf. Jeſui. part.* 2. *ad rat.* 5. (q) *Ejuſ. part* 1. *præfat. ad Com. Leiceſt.* (r) *Ratio* 5.

be as deep in Hell as the Devil. But in all such Intricacies, where both Opinions seem equally to conduce to the Honour of God, his Justice being as much advanced in the one, as his Mercy in the other, it seems reasonable to me, that this turn the Scales, if on either side there appear Charity towards the poor Soul departed. (*s*) The Church in her Hymns and Antiphones, doth often salute the Nails and Cross, with Epithets of Sweetness and Thanks; But the Spear which pierced Christ when he was dead, it ever calls, *dirum Mucronem.* Such Perplexities we ought to encline to that side that favoureth the Dead.

This Piety, I protest again, urges me in this Discourse; and what Infirmity soever my Reasons may have, yet I have comfort in *Tresmegistus Axiome*, (*t*) [*Qui pius est, summe Philosophatur.*] And therefore without any disguising, or curious and libellous concealing, I present and object it, to all of Candor and Indifferency, to escape that just Taxation, (*u*) [*Novum malitiæ genus est, & intemperantis, scribere quod occultes.*] For as, (*x*) when *Ladislaus* took occasion of the great Schism, to corrupt the Nobility in *Rome*, and hoped thereby to possess the Town to their Seven Governours, whom they called *Sapientes*, they added Three more, whom they called *Bonos*, and confided in them; so do I wish, and as much as I can effect, that to those many learned and subtle Men which have travelled in this Point, some charitable and compassionate Men might be added. Why I make it so publick

If therefore, of Readers, (which (*y*) *Gorionides* observes to be of Four sorts, (Spunges What Reader I wish.

(*s*) *Notæ Mallon. in Paleot. Sin.* part 1. cap. 2. (*t*) *De Pietate & Philosophia.* (*u*) *Hier. Apol. adverſ. Ruffin.* (*x*) *Theodor. a Niem.* l. 2. c. 37. (*y*) *Teſſarid.* 6.

which attract all without diſtinguiſhing; Hour-glaſſes, which receive and pour out as faſt; Bags, which retain only the Dregs of the Spices, and let the Wine eſcape; and Sives, which retain the beſt only,) I find ſome of the laſt ſort, I doubt not but they may be hereby enlightned. And (z) as the Eyes of *Eve* were opened by the Taſte of the Apple, though it be ſaid before that ſhe ſaw the Beauty of the Tree; ſo the digeſting of this, may, though not preſent fair Objects, yet bring them to ſee the Nakedneſs and Deformity of their own Reaſons, founded upon a rigorous Suſpicion, and win them to be of that Temper, (which (a) *Chryſoſtome* commends, [*He which ſuſpects benignly would fain be deceived, and be overcome; and is piouſly glad, when he finds it to be falſe, which he did uncharitably ſuſpect.*] And it may have as much vigour (as (b) one obſerves of another Author) as the Sun in *March*; it may ſtir and diſſolve Humours, though not expel them; for that muſt be a Work of a ſtronger Power.

The Reaſon of ſo many Citations.

Every Branch which is excerpted from other Authors, and engrafted here, is not written for the Reader's Faith, but for Illuſtration and Compariſon. Becauſe I undertook the Declaration of ſuch a Propoſition as was controverted by many, and therefore was drawn to the Citation of many Authorities, I was willing to go all the Way with Company, and to take Light from others, as well in the Journey as at the Journey's End. If therefore in Multiplicity of not neceſſary Citations there appear Vanity, or Oſtentation, or Digreſſion, my

(z) *Gen.* 3. 6, & 7. (a) *Hom. de S. Suſanna.* (b) *Steuch. de Valla de Don. conſt.*

my Honeſty muſt make my Excuſe and Compenſation, who acknowledge as (c) *Pliny* doth [*That to chuſe rather to be taken in a Theft, than to give every Man due, is* obnoxii animi, & infelicis ingenii.] I did it the rather becauſe Scholaſtick and Artificial Men uſe this Way of Inſtructing; and I made account that I was to deal with ſuch, becauſe I preſume that natural Men are at leaſt enough inclinable of themſelves to this Doctrine.

God puniſhes that Sin moſt which occaſions moſt Sin in others.

This my Way; and my End is to remove Scandal. For certainly God often puniſheth a Sinner much more ſeverely, becauſe others have taken of ſinning by his Fact. If therefore we did correct in our ſelves this Eaſineſs of being ſcandalized, how much eaſier and lighter might we make the Puniſhment of many Tranſgreſſors? For God in his Judgments hath almoſt made us his Aſſiſtants and Counſellors how far he ſhall puniſh; and our Interpretation of another's Sin doth often give the Meaſure to God's Juſtice or Mercy.

If therefore, ſince (d) *diſorderly long Hair, which was Pride and Wantonneſs in* Abſolom, *and Squallor and Horridneſs in* Nebuchadnezar, *was Vertue and Strength in* Sampſon, *and Sanctification in* Samuel,] theſe ſevere Men will not allow to indifferent Things the beſt Conſtruction they are capable of, nor pardon my Inclination to do ſo, they ſhall pardon this Opinion, that their Severity proceeds from a Self-guiltineſs; and give me leave to apply

(c) *Epiſt. Tit. Veſp.* (d) *Paulin. Ep.* 4. *Severo.*

that of *Ennodius*, (e) [*That it is the Nature of Stiff-wickedneſs, to think that of others, which themſelves deſerve; and it is all the Comfort which the Guilty have, not to find any innocent.*]

(e) *Epiſt. ad Aſyrium.*

THE

THE FIRST PART OF Law and Nature.

DISTINCTION I.

SECTION I.

AS *(a)* Lawyers uſe to call that impoſſible, which is ſo difficult; that by the Rules of Law it cannot be afforded, but by the Indulgence of the Prince, and Excerciſe of his Prerogative: So Divines are accuſtomed to call that Sin, which for the moſt Part is ſo, and which naturally occaſions and accompanies Sin. Of ſuch Condition is this *Self-Homicide:* Which to be Sin every Body hath ſo ſucked, and digeſted, and incorporated into the Body of his Faith and Religion, that now they preſcribe againſt any Oppoſer; and all Diſcourſe in this Point is upon the Degrees of this Sin, and how far it exceeds all other: So that none brings the Mettal now to

1. Why we firſt prove that this Sin is not irremiſſible.

(a) *Palæotus de nothis*, cap. 28.

to the Teſt, nor Touch, but only to the Balance. Therefore although whatſoever is in our Appetite Good or Bad, was firſt in our Underſtanding true or falſe, and therefore if we might proceed orderly, our firſt Diſquiſition ſhould be employ'd upon the firſt Source and Origen, which is, whether this Opinion be true or falſe, yet finding our ſelves under the Iniquity and Burden of this Cuſtom, and Preſcription, we muſt obey the Neceſſity, and prepoſterouſly examine: *Firſt*, Why this Fact ſhould be ſo reſolutely condemned, and why there ſhould be this Precipitation in our Judgment, to pronounce this above all other Sins irremiſſible: And then, having removed that which was neareſt us, and delivered our ſelves from the Tyranny of this Prejudice; our Judgment may be brought nearer to a Straightneſs, and our Charity awakned, and entendred to apprehend, that this Act may be free not only from thoſe enormous Degrees of Sin, but from all.

Sect. II.

1. Three ſorts of Miſtakers of this Sin.

They who pronounce this Sin to be ſo neceſſarily damnable, are of One of theſe Three Perſwaſions. Either they miſ-affirm that this Act always proceeds from Deſperation; and ſo they load it with all thoſe Comminations with which from Scriptures, Fathers, Hiſtories, that common Place abounds. Or elſe they entertain that dangerous Opinion, that there is in this Life an Impenitableneſs and Impoſſibility of Returning to God, and that apparent to us (for elſe it could not juſtific our uncharitable Cenſure:) Or elſe they build

build upon this Foundation, that this Act being presum'd to be Sin, and all Sin unpardonable without Repentance, this is therefore unpardonable, because the very Sin doth preclude all ordinary Ways of Repentance.

Sect. III.

To those of the first Sect, if I might be as vainly subtle, as they are uncharitable severe, I should answer, that all Desparation is not sinful. For in the Devil it is not Sin, nor doth he demerit by it, because he is not commanded to hope. Nor in a Man which undertook an austere and disciplinary Taming of his Body by Fasts or Corrections, were it sinful to despair that God would take from him *Stimulum Carnis*. Nor in a Priest employ'd to convert Infidels, were it sinful to despair; that God would give him the Power of Miracles: If therefore to quench and extinguish this *Stimulum Carnis*, a Man should kill himself; the Effect and Fruit of this Desparation were evil, and yet the Root it self not necessarily so. No Detestation nor Dehortation against this Sin of Desparation (when it is a Sin) can be too earnest. But yet *(a)* since it may be without Infidelity, it cannot be greater than that. And though *Aquinas* there calls it Sin truly, yet he says he doth so, because it occasions many Sins. And if it be as *(b)* others affirm, *Pœna Peccati*, it is then *involuntarium*, which will hardly consist with the Nature of Sin: Certainly, though many devout Men have justly imputed to it the

1. That all Desparation is not heinous; and that this Act doth not always proceed from Desparation.

2. It may be without Infidelity.

3. When it is *pœna peccati*, it is *involuntarium*

4. The Reason why Men ordinarily aggravate it.

(a) *Theo.* 22. Q. 2. Ar. 2. (b) *Peter Exod.* cap. 11. Disp. 4.

the Cauſe and Effect of Sin, yet as in the (c) penitential Cannons, greater Penance is inflicted upon one who kills his Wife, than one who kills his Mother; and the Reaſon added, not that the Fault is greater, but that otherwiſe more would commit it: So is the Sin of Deſparation ſo earneſtly aggravated; becauſe ſpringing from Sloath, and Puſilanimity, our Nature is more ſlippery and inclinable to ſuch a Deſcent, than to Preſumptions, which yet without Doubt do more wound and violate the Majeſty of God, than Deſparation doth. But howſoever, that none may juſtly ſay, that all which kill themſelves, have done it out of a Deſpair of God's Mercy, (which is the only ſinful Deſpair) we ſhall in a more proper Place, when we come to conſider the Examples exhibited in Scriptures, and other Hiſtories; find many who at that Act have been ſo far from Deſpair, that they have eſteemed it a great Degree of God's Mercy, to have been admitted to ſuch a Glorifying of his Name, and have proceeded therein as religiouſly as in a Sacrifice; and as (d) one ſays elegantly, of *Job*; *Venere in glorioſa Proverbia*, and of whom we may properly ſay, that which *Moſes* ſaid, when they puniſhed upon one another their Idolatry, *Conſecractis Manus veſtras Domino.*

5. Of the Second Opinion, Impenitibleneſs. 6. Of *Calvin*'s Opinion, *Mat.* 12. 30.

When I come to conſider their Words who are of the ſecond Opinion, and which allow an Impenitableneſs in this Life (of which *Calvin* is a ſtrong Authorizer, if not an Author; who ſays, that actual Impenitence is not the Sin intimated in *Matth.* 12. 30 and 31. But it is a willing Reſiſting of the Holy Ghoſt, into which whoſoever falls, *tenendum eſt*, ſaith he,

(c) *Can.* 17. (d) *Boſquier Con.* 2. *Exod.* 32. 29.

he, we muſt hold that he never riſeth again) becauſe theſe hard and miſ-interpretable Words fall from them, when they are perplexed, and intricated with that heavy Queſtion of Sin, againſt the Holy Ghoſt, and becauſe I preſume them to ſpeak proportionally and analogally to their other Doctrine, I rather incline to afford them this Conſtruction, that they place this Impenitibleneſs only in the Knowledge of God, or that I underſtand them not, than either believe them literally, or believe that they have clearly expreſſed their own Meanings. For I ſee not why we ſhould be lother to allow, that God hath made ſome impeccable, than impenitable. Neither do I perceive, that if they had their Purpoſe, and this were granted to them, that therefore ſuch an Impenitibleneſs muſt of Neceſſity be concluded to have been in this Perſon, by reaſon of this Act.

7. None impeccable, nor impenitible.

Sect. IV.

But the third Sort is the tameſt of all the Three, and gives greateſt Hope of being reduced and rectified: For though they pronounce ſeverely upon the Fact, yet it is only upon one Reaſon, that the Fact precludes all Entrance to Repentance. Wherein I wonder why they ſhould refuſe to apply their Opinions to the milder Rules of the Caſuiſts (*a*) which ever in doubtful Caſes, teach an Inclination to the ſafer Side. And though it be ſafer to think a Thing to be Sin, than not, yet that Rule ſerves for your own Information, and for a Bridle to you, not for another's Condemnation.

1. Of the Third ſort, and that we ought not to preſume actual Impenitence in this Caſe.

2. Which is the ſafer ſide in Doubts.

(a) *Azor. Mor. Inſtit.* Part 1. l. 2. c. 16.

demnation. They uſe to interpret that Rule of taking the ſafer Side, that in Things neceſſary (*neceſſitate Finis*, as Repentance is to Salvation) we muſt follow any probable Opinion, though another be more probable; and that, directly that Opinion is to be followed, *Quæ favet Animæ:* Which they exemplifie thus. *(b)* That though all Doctors hold that Baptiſm of a Child not yet throughly born, in the Hand or Foot to be ineffectual, yet all Doctors counſel to baptize in that Caſe, and to believe of good Effect. And the Example of the good Thief informs us, that Repentance works immediately; and from that Hiſtory *Calvin* collects, That ſuch Pain *in articulo mortis*, is naturally apt to beget Repentance; ſince the Church is ſo indulgent, and liberal to her Children, *(c)* that at the Point of Death ſhe will afford her Treaſure of Baptiſm to one which hath been mad from his Birth, by the ſame Reaſon as to a Child: *(d)* yea, to one fallen lately into Madneſs, though it appear he were in mortal Sin, if he have but Attrition, which is but a Fear of Hell, and no Taſte of God's Glory; and ſuch Attrition ſhall be preſum'd to be in him, if nothing appear evidently to the Contrary: *(e)* If ſhe be content to extend and interpret this Point of Death, of every Danger by Sea, or Travel; *(f)* If ſhe will interpret any mortal Sin in a Man provoked by ſudden Paſſion and proceeding from Indeliberation, to be no worſe nor of greater Malignity, than the Act of a Child. If being unable to ſuccour one before *(g)* ſhe will

2. *In articulo mortis*, the Church interprets ever favourably.

(b) *Zambran. de pœniten. dub.* 2. *n.* 39. (c) *Idem de bap. dub.* 8. *n.* 1. (d) *Ibid. n.* 2. (e) *Idem prælud.* 1. *n.*7. (f) *Idem de pœnitent. dub.* 3. *n.* 2. (g) *Ibidem.*

will deliver him from Excommunication after he is dead. (*h*) If ſhe be content that both the Penitent and Confeſſor, be but *diligentes*, not *diligentiſſimi*; (*i*) If rather then ſhe will be fruſtrate of her Deſire to diſpenſe her Treaſure, ſhe yields that mad and poſſeſſed Men, ſhall be bound till they may receive extream Unction. (*k*) If laſtly ſhe abſolve ſome whether they will or no, why ſhould we abhor our Mother's Example, and being Brethren, be ſeverer than the Parent: Not to pray for them, which die without Faith, is a Precept ſo obvious to every Religion, that even (*l*) *Mahomet* hath inhibited it: But to preſume Impenitence, becauſe you were not by, and heard it, is an Uſurpation.

This is true Repentance (ſaith *Clement*) [(*m*) To do no more, and to ſpeak no more, thoſe Things whereof you repent; and not to be ever ſinning, and ever asking Pardon.] Of ſuch a Repentance as this our Caſe is capable enough. 4. What true Repentance is.

And of (*n*) one who died before he had repented, good *Paulinus* would charitably interpret his Haſte, [That he choſe rather to go to God *debitor quam liber*] and ſo to die in his Debt rather than to carry his Acquittance. As therefore in matters of Fact, the Delinquent is ſo much favour'd, that (*o*) a Lay-man ſhall ſooner be believed which acquits him, than a Clark which accuſeth (though in (*p*) other Caſes there be much Diſproportion between the Value of theſe Two Teſtimonies;) ſo, 5. Witneſſes which acquit, more acceptable than Accuſers.

(h) *Dub.* 7. *n.* 9. (i) *Idem de unct. dub.* 2. *nu.* 3. (k) *Sayr Theſaur Caſ. Conſc. Tom.* 1. l. 2. c. 21. *nu.* 2. (l) *Alcor. Azoar.* 19. (m) *Stromat.* l. 2. (n) *Lib.* 3. *ad amandum, Ep.* 1. (o) *Diſt.* 81. *ca. Clerici.* (p) *Q.* 12. *c.* 1. *duo ſunt.*

ſo, if any will of Neceſſity, proceed to Judgment in our Caſe, thoſe Reaſons, which are moſt benigne, and which, (as I ſaid) *favent animæ*, ought to have the beſt Acceptation and Entertainment.

Sect. V.

1. Why we wave the ordinary Definition of Sin taken from S. *Auguſtine*, and follow that of *Aquinas*.

Of all thoſe Definitions of Sin, which the firſt Rhapſoder *Pet. Lombard* hath preſented out of ancient Learning, as well the *Summiſts* as *Caſuiſts* do moſt inſiſt upon that which he brings from (*a*) St. *Auguſtine*, as, commonly, where that Father ſerves their Turns, they never go further. This Definition is, that Sin is *dictum, factum, concupitum, contra æternam legem Dei*. This they ſtick too, becauſe this Definition (if it be one) beſt bears their deſcant; and is the eaſieſt Conveyance, and Carriage, and Vent for their Conceptions; and applying Rules of Divinity to particular Caſes: By which they have made all our Actions perplex'd and litigious, in *foro interiori*, which is their Tribunal: By which Torture they have brought Mens Conſciences to the ſame Reaſons of complaint, which (*b*) *Pliny* attributes to *Rome*, till *Trajan*'s Time; that *Civitas fundata legibus, legibus evertebatur*. For as Informers vex'd them with continual Delations upon Penal Laws, ſo doth this Act of Sinning entangle wretched Conſciences in manifold and deſparate Anxieties.

2. Of the torturing Practiſe of Caſuiſts.

But for this Uſe this Definition cannot be thought to be appliable to Sin only, ſince it limits it to the external Law of God, (which Word,

(a) *Lib.* 2. *Diſt.* 35. *A.* (b) *Panegyr. Trajan.*

Word, though *Lombard* have not, (c) *Sayr*, and all the reſt retain) for this eternal Law is (d) *ratio gubernativa Dei*, which is no other than his eternal Decree for the Government of the whole World, and that is Providence. And certainly againſt this, becauſe it is not always revealed, a Man may without Sin both think and ſpeak and do; as I may reſiſt a Diſeaſe, of which God hath decreed I ſhall die. Yea, though he ſeem to reveal his Will, we may reſiſt it, with Prayers againſt it, becauſe it is often conditioned, and accompanied with Limitations and Exceptions. Yea, though God dealt plainly by *Nathan*, (e) [*The Child ſhall ſurely die.*] *David* reſiſted God's Decree by Prayer and Penance. We muſt therefore ſeek another Definition of Sin, which I think is not ſo well delivered in thoſe Words of *Aquinas* (f) [*Omnis defectus debiti actus habet rationem peccati*] as in his other; [*Peccatum eſt actus devians ab ordine debiti finis, contra regulam naturæ, rationis, aut legis æternæ.*] For here *lex æterna* being put as a Member and Part of the Definition, it cannot admit that vaſt and large Acceptation, which it could not eſcape in the Deſcription of St. *Auguſtine*, but muſt in this Place be neceſſarily intended of *lex Divina*. Through this Definition therefore, we will trace this Act of *Self-homicide*, and ſee whether it offend any of thoſe Three ſorts of Law.

3. Of the eternal Law of God, in *Auguſtine's* Definition, againſt which a Man may do without Sin.

4. Of the Definition which we follow.

C SECT.

(c) *Theſaur. Caſ. Conſc.* l. c. 5. (d) *Tho.* 22. *q.* 91. *ar.* 2.
(e) 2 *Sam.* 12. 14. (f) *Q.* 22. *ar.* 64. *Con.* 1.

Sect. VI.

1. How the Law of Nature, of Reaſon, and of God, exhited in this Definition, are all one and how diverſly accepted.

Of all theſe Three Laws, of Nature, of Reaſon, and of God, every Precept which is permanent, and binds always, is ſo compos'd, and elemented, and complexion'd, that to diſtinguiſh and ſeparate them, is a Chymick Work: And either it doth only ſeem to be done, or is done by the Torture and Vexation of School-Limbicks, which are exquiſite and violent Diſtinctions. For that Part of God's Law, which binds always, bound before it was written, and ſo it is but *dictamen rectæ rationis*; and that is the Law of Nature. And therefore *Iſidore*, as it is related into the (*a*) Canons, dividing all Law into Divine and Humane, addeth [Divine conſiſts of Nature, Humane of Cuſtom,] yet though theſe Three be almoſt all one; yet becauſe one Thing may be commanded divers Ways, and by divers Authorities, as the Common Law, a Statute, and a Decree of an Arbitrary Court, may bind me to do the ſame Thing, it is neceſſary that we weigh the Obligation of every one of theſe Laws which are in the Definition.

2. In ſome Caſes all theſe Three Laws may be broke at once.

But firſt I will only mollifie and prepare their crude and undigeſted Opinions and Prejudice, which may be contracted from the often Iteration, and ſpecious but ſophiſticate Inculcatings of Law, and Nature, and Reaſon, and God, with this Antidote, that many Things which are of Natural and Humane, and Divine Law, may be broken. Of which ſort, (*b*) to conceal a Secret delivered unto you

3. Revealing a Secret.

is

(a) *Diſt.* 1. *Omnes.* (b) *Soto de leg. Secr. membr.* 1. q. 2.

is one. And the Honour due to Parents is ſo ſtrictly of all theſe Laws, as none of the Second Table more. Yet in a juſt War a Parricide is not guilty; yea, by a Law of *Venice*; though (*c*) *Bodin* ſays, *It were better the Town were ſunk, than ever there ſhould be any Example or Preſident therein:* A Son ſhall redeem himſelf from Baniſhment by killing his Father, being alſo baniſhed. And we (*d*) read of another State (and Laws of Civil Commonwealths may not eaſily be pronounced to be againſt Nature) where, when Fathers came to be of an unprofitable and uſeleſs Age, the Sons muſt beat them to Death with Clubs: And of another, where all Perſons of above Seventy Years were diſpatched.

4. Parricide.

Sect. VII.

This Term, the Law of Nature, is ſo variouſly and unconſtantly deliver'd, as I confeſs, I read it a hundred times before I underſtand it once, or can conclude it to ſignifie that which the Author ſhould at that time mean: Yet I never found it in any Sence, which might juſtifie their Vociferations upon Sins againſt Nature. For the Tranſgreſſing of the Law of Nature in any Act, doth not ſeem to me to increaſe the Heinouſneſs of that Act, as though Nature were more Obligatory than Divine Law; but only in this reſpect it aggravates it, that in ſuch a Sin we are inexcuſable by any Pretence of Ignorance, ſince by the Light of Nature we might diſcern it. Many Things which we call Sin, and ſo Evil

1. Of the Law of Nature; and that againſt it ſtrictly taken, either no Sin, or all Sin is done.

2. To do againſt Nature, makes us not guilty of a greater Sin, but more inexcuſable.

3. Nothing is Evil, that is never Good.

(c) *De Rep.* l. 1. c. 4. (d) *Ælian.* l. 4. c. 1.

have been done by the Commandment of God; by *Abraham* and the *Iſraelites* in their departing from *Ægypt*. So that this Evil is not in the Nature of the Thing, nor in the Nature of the whole Harmony of the World, and therefore in no Law of Nature, but in violating, or omitting a Commandment: All is Obedience or Diſobedience. Whereupon our Countryman (*a*) *Sayr* confeſſeth, that this *Self-Homicide* is not ſo intrinſically ill, as to *Lye*. Which is alſo evident by *Cajetan* (*b*) where he affirms, That I may not to ſave my Life, accuſe my ſelf upon the Rack. And though *Cajetan* extend no farther herein, than that I may not belye my ſelf: Yet (*c*) *Soto* evicts, that *Cajetan*'s Reaſons, with as much Force, forbid any Accuſation of my ſelf, tho' it be true. So much eaſier may I depart with Life than with Truth, or with Fame, by *Cajetan*. And yet we find that of their Fame many holy Men have been very negligent: For not only *Auguſtine*, *Anſelm*, and *Hierome*, betray themſelves by unurged Confeſſions, but (*d*) St. *Ambroſe* procur'd certain proſtitute Women, to come into his Chamber, that by that he might be defamed, and the People thereby abſtain from making him Biſhop. This intrinſick and natural Evil therefore will hardly be found. For, (*e*) God who can command a Murder, cannot command an Evil, or a Sin; becauſe the whole Frame and Government of the World being his, he may uſe it as he will. As, though he can do a Miracle, he can do nothing againſt Nature; becauſe

4. No Evil, but Diſobedience.

5. Lying naturally worſe than Self-homicide.

6. Fame may be neglected; yet we are as much bound to preſerve it, as Life.

7. God cannot command a Sin, yet he can command Murder.

(a) *Theſaur. Caſ. Conſc.* l. 7. c. 9. n. 9. (b) *Sup.* 22. q. 37. ar. 2. (c) *De Teg. Secr. memb.* 1. q. 3. (d) *Soto* ibid. (e) *Th.* 22. q. 104. ar. 4. *ad* 2. m.

cauſe (*f*) [That is the Nature of every Thing, which he works in it.] Hereupon, and upon that other true Rule, (*g*) [whatſoever is wrought by a ſuperior Agent, upon a Patient, who is naturally ſubject to that Agent, is natural] we may ſafely infer, that nothing which we call Sin is ſo againſt Nature, but that it may be ſometimes agreeable to Nature.

On the other Side, Nature is often taken ſo widely and ſo extenſively, as all Sin is very truely ſaid to be againſt Nature. Yea, before it come to be Sin. For St. *Auguſtine* ſays (*h*) [Every Vice, as it is Vice, is againſt Nature.] And Vice is but Habit, which being produced to Act, is then Sin. Yea, the Parent of all Sin, which is hereditary original Sin, which (*i*) *Aquinas* calls, [a Languor and Faintneſs in our Nature, and an Indiſpoſition, proceeding from the Diſſolution of the Harmony of original Juſtice] is by him ſaid to be in us, [(*k*) *quaſi naturale*] And is, as he ſaith in another Place, ſo (*l*) natural, [that though it is propagated with our Nature, in Generation, though it be not cauſed by the Principles of Nature.] So (*m*) as if God would now miraculouſly frame a Man, as he did the firſt Woman, of another's Fleſh and Bone, and not by way of Generation, into that Creature, all Infirmities of our Fleſh would be derived, but not original Sin. So that original Sin is traduced by Nature only, and all actual Sin iſſuing from thence, all Sin is natural.

8. Original Sin is from Nature.

(f) *Aug. cont. faust.* l. 26. c. 3. (g) *Th.* 1. q. 105. ar. 6. *ad* 1. (h) *De Li. Arb.* l. 13. c. 13. (i) 12. Q. 81. ar. 4. (k) 3. Q. 8. ar. 5. *ad* 7. (l) 1. Q. 100. ar. 1. *ad* 3. (m) 12. Q. 81. ar. 4.

Sect. VIII.

1. That if our Adverſaries by Law of Nature mean only Senſitive Nature, they ſay nothing, for ſo moſt vertuous Actions are againſt Nature.

But to make our Approaches nearer. Let us leave the Conſideration of the Law of Nature, as it is Providence, and God's Decree for his Government of the great World; and contract it only to the Law of Nature in the leſs World our ſelves. There is then in us a (*a*) double Law of Nature, Senſitive and Rational; and (*b*) the firſt doth naturally lead and conduce to the other. But becauſe by the Languor and Faintneſs of our Nature, we lazily reſt there, and for the moſt part go no further in our Journeys therefore out of this ordinary Indiſpoſition, *Aquinas* pronounceth, that the Inclination of our ſenſitive Nature is againſt the Law of Reaſon. And this is that which the Apoſtle calls the Law of the Fleſh, and oppoſeth againſt the Law of the Spirit.

Rom. 7. 23.

Now although it be poſſible to ſin and tranſgreſs againſt this ſenſitive Nature, which naturally and lawfully (*c*) is inclined upon *Bonum delectabile*, by denying to it lawful Refreſhings, and Fomentations; yet I think this is not that Law of Nature which theſe Abhorrers of *Self-Homicide* complain to be violated by that Act. For ſo they might as well accuſe all Diſcipline and Auſterity, and Affectation of Marterdom, which are as contrary to the Law of Senſitive Nature.

Sect.

(a) *Tho.* 12. q. 71. *Ar.* 2. *Con.* (b) *Carbo Caſ. Conſ. To.* 2. p. 1. c. 5. (c) *Tho.* ibid.

SECT. IX.

And therefore, by Law of Nature, if they will mean any Thing, and ſpeak to be underſtood, they muſt intend the Law of rational Nature: Which is that Light which God hath afforded us of his eternal Law; and which is uſually call'd *Recta ratio*. Now this Law of Nature as it is only in Man and in him directed upon Piety, Religion, Sociableneſs; and ſuch (for as it reacheth to the Preſervation both of Species and Individuals, there are lively Prints of it in Beaſts) is with moſt Authors confounded and made the ſame with *Jus Gentium*. So (*a*) *Azorius*, and ſo (*b*) *Sylvius* delivers, [That the Law of Nature, as it concerns only Reaſon is *Jus gentium*] and therefore whatever is *Jus gentium* that is practiſed (and accepted in moſt eſpecially civil'ſt Nations) is alſo Law of Nature, which (*c*) *Artemidorus* exemplifies, in theſe Two, *Deum colere, mulieribus vinci.*

1. As the Law of Nature is *Recta Ratio*, it is *jus gentium*. So Immolation of Men and Idolatry, are not againſt Nature.

How then ſhall we accuſe Idolatry or Immolation of Men to be Sins againſt Nature? For (not to ſpeak of the Firſt, which like a Deluge overflowed the whole World, and only *Canaan*, was a little Ark ſwimming upon it, delivered from utter Drowning, but yet not from Storms and Leaks, and dangerous Weather-beatings,) Immolation of Men was ſo ordinary, that (*d*) [almoſt every Nation, though not barbarous, had received it.] The (*e*) *Druids* of *France* made

(a) *Mor. Inſtip.* 1. l. 5. c. 1. (b) *Com. ad leg. Reg. præ.* (c) *De Som. ſign.* (d) *Pol. Virg. de Invent. rer.* l. 5. c. 8. (e) *Middendorp. de Acad.* l. 6. *ex Io. Bormo.*

their Divinations from Sacrifices of Men. (f) And in their Wars they preſaged alſo after the ſame Faſhion. And for our Times it appears by the *Spaniſh* Relations, (g) that in only *Hiſpaniola* they ſacrific'd yearly 20000 Children.

Sect. X.

1. A Reaſon is the Form, and ſo the Nature of Man, every Sin is againſt Nature, yea, whatſoever agrees not exactly with Chriſtian Religion.

However ſince this is receiv'd [(a) that the Nature of every Thing is the Form by which it is conſtituted, and that to do againſt it, is to do againſt Nature] ſince alſo this Form in Man is Reaſon, and ſo to commit againſt Reaſon is to ſin againſt Nature; what Sin can be exemot from that Charge, that it is a Sin againſt Nature, ſince every Sin is againſt Reaſon. And in this Acceptation (b) *Lucidus* takes the Law of Nature, when he ſays [God hath written in our Hearts ſuch a Law of Nature, as by that, we are ſaved in the Coming of Chriſt.] And ſo every Act which concurs not exactly with our Religion ſhall be Sin againſt Nature. Which will appear evidently out of (c) *Jeremy*'s Words, where God promiſeth as a future Bleſſing, that he will write his Laws in their Hearts, which is the Chriſtian Law. So that the Chriſtian Law, and the Law of Nature, (for that is the Law written in Hearts) muſt be all one. Sin therefore againſt Nature is not ſo enormous, but that that may ſtand true, which *Navar* ſaith (d) [that many Laws both natural and divine do bind only *Ad veniale*.] And ſo (not diſputing at this Time, whi-

(f) *Cæſar. Bell. Gall.* l. 6. (g) *Mat. Met. præf. ad Oſor. Hiſt.*
(a) *Q.* 12. *Ar.* 71. *Con.* 2. (b) *Epiſtola multis epiſt.*
(c) 31. 33. (d) *Manual.* c. 23. nu. 50.

whither it be againſt Reaſon always or no,) (for Reaſon and Vertue differ no otherwiſe than a cloſe Box of Druggs, and an Emplaiſter or Medicine made from thence and applied to a particular Uſe and Neceſſity; and in the Box are not only Aromatike Simples, but many Poyſons, which the Nature of the Diſeaſe, and the Art of the Adminiſtrer make Wholſome.) This *Self-Homicide* is no more againſt the Law of Nature, than any other Sin, nor in any of the Acceptations which we touch'd before. And this is as much as I determined for this firſt Diſtinction.

2. Vertue produced to act, differs ſo from Reaſon, as a Medicine made and applied, from a Box of Drugs.

DISTINCTION II.

SECT. I.

THere is a lower and narrower Acceptation of this Law of Nature (which could not well be diſcerned but by this Light, and and Fore-diſcourſing) againſt which Law, this Sin, and a very few more, ſeem to be directly bent and oppoſed. For (*a*) *Azorius* ſays, [That there are Sins peculiarly againſt Nature, which are *Contra naturalem uſum Hominis*] which he exemplifies in unnatural Luſts, and in this. And of the former Example (*b*) *Aquinas* ſays, [That there are ſome Kinds of Luſts which are Sins againſt Nature, both as they are generally Vices, and as they are againſt the Natural Order of the Act of Generation.]

1. Sins againſt Nature in a particular Senſe, are by Schoolmen ſaid to be unnatural Luſts; and this. But in Scriptures only the firſt is ſo called.

(a) *Mor. Inſtit.* p. 1. l. 4. c. 1. (b) *Q.* 22. *Ar.* 154. *Con.* 11.

ration.] In the Scriptures alſo this Sin of Miſuſing the Sex, is called againſt Nature, by (*c*) St. *Paul.* And once (in the vulgar Edition) in the (*d*) Old Teſtament. But (as I intimated once before) this Sin againſt Nature is ſo much abhor'd, not becauſe the being againſt Nature makes it ſo abominable, but becauſe the Knowledge thereof is ſo domeſtick, ſo near, ſo inward to us, that our Conſcience cannot ſlumber in it, nor diſſemble it, as in moſt other Sins it doth. For, in that Example of the *Levite* in the Book of *Judges*, (if thoſe wicked Men did ſeek him for that abominable Uſe, which (*e*) *Joſephus* ſays, was only for his Wife; and when himſelf relates to the People the Hiſtory of his Injury in the next Chapter, he complains that they went about to kill him to enjoy his Wife, and of no other kind of Injury;) though the Hoſt which had harbour'd him diſſwade the Men thus, [*Solum non operemini hoc contra Naturam*] will any Man ſay, that the Offer which he made them to extinguiſh their furious Luſt, to expoſe to them his own Daughter, a Virgin, and the Wife of his Gueſt, (which *Joſephus* encreaſes by calling her a *Levite* and his Kinſwoman,) was a leſs Sin, than to have given Way to their Violence, or leſs againſt Nature, becauſe that which they ſought was, *Contra naturalem uſum.* Is not every voluntary Pollution, *In genere Peccati*, as much againſt the Law of Nature, as this was, ſince it ſtrays and departs from the Way, and defeats the End of that Faculty in us, which is Generation? The violating therefore of the Law

2. Of the Example of the *Levite* in *Judges.*

(c) *Rom.* 1.20. (d) *Judg.*19. 24. (e) *Antiq.* l.5.c.2.

Law of Nature, doth in no Acceptation aggravate the Sin. Neither doth the Scripture call any other Sin, than diſorderly Luſt by that Name; St. *Paul* once appeals to the Law of Nature, when arguing about the Covering of Heads, of Men or Women at publick Prayer, he ſays, [*Judge in your ſelves*;] And [*Doth not Nature teach you, that if a Man have long Hair, it is a Shame?*] Not that this was againſt that Law of Nature to which all Men were bound, for it was not always ſo. For, in moſt Places, Shavings and Cuttings, and Pullings, are by the *Satyricks* and *Epigrammatiſts* of thoſe Times, reprehended for Delicacy and Effeminateneſs. And the *Romans* till Foreign Corruption had envenom'd them, were ever call'd glorioufly *Intonſi*; but becauſe (ſays *Calvin*,) [It was at that Time received as a Cuſtom throughout all *Greece*, to wear ſhort Hair, St. *Paul* calls it natural.]

1 *Cor.* 11. 14.
3. S. *Paul's* Uſe of the Phraſe, *Law of Nature*, in long Hair.

So *Vegetius* ſays [That from (*f*) *November* to *March* the Seas are ſhut up, and intractable *Lege Naturæ*,] which now are tame and tractable enough, and this alſo *Lege Naturæ*. And that Cuſtom which St. *Paul* call'd Natural in *Greece*, was not long natural there. For the Biſhops of *Rome*, when they made their Canons for Prieſts Shavings, (*g*) did it becauſe they would have their Prieſts differ from the Prieſts of the *Greek* Church. So that St. *Paul* mentioning the Law of Nature, argues not from the Weight and Heinouſneſs of the Fault, as our Adverſaries uſe; but uſeth it as the neareſt and moſt familiar and eaſie Way to lead them to a Knowledge of

4. *Vegetius* Uſe of that Phraſe.

(f) *De re milit.* l. 4. c. 39. (g) *Pierius de barbis Sacerdotum.*

of Decency, and a Departing from ſcandalous Singularity in thoſe publick Meetings.

SECT. II.

1. Self-preſervation is not ſo of particular Law of Nature, but that Beaſts naturally tranſgreſs it, whom it binds more than us; and and we, when the Reaſon thereof ceaſes in us, may tranſgreſs it, and ſometimes muſt.

2. Things natural to the *Species*, are not always ſo to the *Individuum*.

3. Therefore ſome may abandon the World.

And though *Azorius* (as I ſaid) and many others, make this *Self-homicide* an Example of Sin, againſt particular Law of Nature; yet it is only upon this Reaſon, that *Self-preſervation* is of natural Law. But that natural Law is ſo general, that it extends to Beaſts more than to us, becauſe they cannot compare Degrees of Obligation and Diſtinctions of Duties and Offices, as we can. For we know that (*a*) [ſome Things are natural to the *Species*, and other Things to the particular *Perſon*] and that the latter may correct the firſt. And therefore when (*b*) *Cicero* conſulted the Oracle at *Delphos*, he had this Anſwer, [*Follow your own Nature.*] And ſo certainly that Place, (*c*) [*It is not good for the Man to be alone,*] is meant there, becauſe if he were alone, God's Purpoſe of Multiplying Mankind had been fruſtrate. Yet though this be ill for Conſervation of our *Species* in general, yet it may be very fit for ſome particular Man, to abſtain from all ſuch Converſation of Marriage or Men, and retire to a Solitude. For ſome may need that Council of (*d*) *Chryſoſtome*, [Depart from the high Way, and tranſplant thy ſelf in ſome incloſed Ground: For it is hard for a Tree which ſtands by the Way ſide, to keep her Fruit, till it be Ripe.] Our ſafeſt Aſſurance, that we be not miſlead with the

(a) *Tho. Q.* 12. *Ar.* 51. *Con.* 7. (b) *Fabricius Hiſt. Cicero, Ann.* 30. (c) *Gen.* 2. 18. (d) *Homil.* 36. *Oper. imperf. in Matth.*

the Ambiguity of the Word (*e*) *Natural Law*, and the perplex'd Variety thereof in Authors, will be this, That [all the Precepts of Natural Law, reſult in theſe, *Fly Evil, ſeek Good*;] that is, do according to Reaſon.

For theſe, as they are indiſpenſable by any Authority, ſo they cannot be aboliſhed nor obſcured, but that our Hearts ſhall ever not only retain, but acknowledge this Law. From theſe are deduced by Conſequence, other Precepts which are not neceſſary always; as *Rede depoſitum*. For though this ſeem to follow of the firſt, *Do according to Reaſon*, yet it is not always juſt. And as *Aquinas* ſays, The lower you go towards Particulars, the more you depart from the Neceſſity of being bound to it. So (*f*) *Acacius* illuſtrates it more clearly, [It is natural, and binds all always, to know there is a God. From this is deduced by neceſſary Conſequence, that God (if he be) muſt be worſhiped; and after this, by likely Conſequence, that he muſt be worſhiped in this or this Manner.] And ſo every Sect will a little corruptly and adulterately call their Diſcipline *Natural Law*, and enjoyn a neceſſary Obedience to it. But (*g*) though our Subſtance of Nature, (which is beſt underſtood of the Foundations and Principles, and firſt Grounds of Natural Law,) may not be changed, yet *Functio naturæ*, (which is the Exerciſe and Application thereof,) and Deduction from thence may, and muſt. The like Danger is in deducing Conſequences from this Natural Law, of *Self-preſervation*; which doth

4. Firſt Principles in natural Law are Obligatory, but not Deductions from thence, and the lower we deſcend, the weaker they are.

(e) *Th.* 12. *Q.* 94. *Ar.* 4. (f) *De Previlegiis Juris*, l. 1. c. 8. (g) *Sylvius Comment. ad leg. reg. præfat.* c. 1.

doth not ſo rigorouſly, and urgently, and illimitedly bind, but that by the Law of Nature it ſelf, Things may, yea muſt neglect themſelves for others; of which the Pillican is an Inſtance, or an Emblem.

5. Pellicans, and Bees, by St. *Ambroſe*, kill themſelves.

And (*h*) St. *Ambroſe* philoſophying divinely in a Contemplation of Bees, after he hath afforded them many other Praiſes, ſays, [*That when they find themſelves guilty of having broken any of their King's Laws, Pœnitenti condemnationi ſe mulctant, ut immoriantur aculei ſui Vulnere.*] Which Magnanimity and Juſtice, he compares there with the Subjects of the Kings of *Perſia*, who in like Caſes are their own Executioners. As this natural Inſtinct in Beaſts, ſo rectified Reaſon belonging only to us, inſtructs us often to prefer publick and neceſſary Perſons, by expoſing our ſelves to unevitable Deſtruction.

6. The Reaſon of almoſt every Law is mutable.

No Law is ſo primary and ſimple, but it foreimagines a Reaſon upon which it was founded: And ſcarce any Reaſon is ſo conſtant, but that Circumſtances alter it. In which Caſe a private Man is Emperor of himſelf; for ſo (*i*) a devout Man interprets thoſe Words, [*Faciamus Hominem ad imaginem noſtrum*, id eſt, *ſui Juris.*] And he whoſe Conſcience well tempted and diſpaſſion'd aſſures him, that the Reaſon of *Self-preſervation* ceaſes in him, may alſo preſume that the Law ceaſes too, and may do that then which otherwiſe were againſt that Law.

And therefore if it be true that [*It* (*k*) *belongs to the Biſhop of* Rome, *to declare, interpret, limit,*

(h) *Hexam.* l. 5. c. 1. (i) *B. Dorotheus Doctrinâ* 12.
(k) *Windeck. Canonum & legum conſenſ. & diſſerſ. ca.* 12.

limit, diſtinguiſh the Law of God,] as their Doctors teach, which is, to declare when the Reaſon of the Law ceaſes: It may be as true which this Author, and the (*l*) Canons affirm, that he may diſpenſe with that Law: For he doth no more, than any Man might do of himſelf, if he could judge as infallibly. Let it be true that no Man may at any Time do any thing againſt the Law of Nature, yet, (*m*) [*As a Diſpenſation works not thus, that I may by it diſobey a Law, but that that Law becomes to me no Law, in that Caſe where the Reaſon ceaſes:*] So may any Man be the Biſhop and Magiſtrate to himſelf, and diſpenſe with his Conſcience, where it can appear that the Reaſon which is the Sole and Form of the Law, is ceaſed. Becauſe, (*n*) as in Oaths and Vows, ſo in the Law, the Neceſſity of Diſpenſations proceeds from this, that a Thing which univerſally conſidered in it ſelf is profitable and honeſt, by reaſon of ſome particular Event, becomes either diſhoneſt or hurtful; neither of which, can fall within the Reach, or under the Commandment of any Law; and in theſe exempt and priviledged Caſes, (*o*) [the Priviledge is not *Contra jus univerſale*, but *Contra univerſalitem Juris.*] It doth only ſuccour a Perſon, not wound, nor infirm a Law. No more, than I take from the Vertue of Light, or Dignity of the Sun, if to eſcape the Scortching thereof, I allow my ſelf the Relief of a Shadow.

7. He that can declare, when the Reaſon ceaſes, may diſpenſe with the Law.

8. How Diſpenſations work.

And,

(l) *Q.* 25. 1. *ſunt quidam.* (m) *Tho.* 22. *Q.* 88. *Ar.* 10. (n) *Tho.* 22. *Q.* 89. *Ar.* 9. (o) *Acacius de Privilegiis*, l. 1. c. 3.

9. As nothing can annul the Prerogative of Princes or Popes, tho' their own Act seem to provide against it; so no Law doth so destroy Man's Liberty, but that he returns to it, when the Reason of the Law ceases.

And, as neither the Watchfulness of Parliaments, nor the Descents and Indulgences of Princes, which have consented to Laws Derogatory to themselves, have been able to prejudice the Princes *non obstantes*, because Prerogative is incomprehensible, and overflows and transcends all Law. And as those Canons which boldly (and as some School-men say) blasphemously say, *Non licebit Papæ*, diminish not his Fulness of Power, nor impeach his *Motus propriores*, (as they call them) nor his *Non obstante Jure divino*, because they are understood ever to whisper some just Reservation, *Sine justa Causa*, or, *Rebus sic stantibus*, so, what Law soever is cast upon the Conscience or Liberty of Man, of which the Reason is mutable, is naturally condition'd with this, that it binds so long as the Reason lives.

10. Self-preservation being but an Appetition of that which is good to us, is not violated by this Act.

Besides, *Self-preservation*, which we confess to be the Foundation of general natural Law, is no other Thing than a natural Affection and Appetition of Good, whether true or seeming. For certainly the Desire of Martyrdom, though the Body perish, is a *Self-preservation*, because thereby, out of our Election our best Part is advanc'd. For Heaven which we gain so, is certainly good; Life, but probably and possibly. For here it holds well which (p) *Athenagoras* says, [*Earthly Things and Heavenly differ so*, as *Veri-simile*, *& Verum*;] And this is the best Description of Felicity that I have found, That [(q) it is *Reditus uniuscujusque rei ad suum Principium.*] Now since this Law of *Self-preservation* is accomplish'd in attaining

(p) *De Resurrect.* (q) *Heptapl. Io. Pici. l. 7. Proem.*

taining that which conduces to our Ends, and is good to us, (for (r) Liberty, which is a Faculty of doing that which I would, is as much of the Law of Nature as Preſervation is; yet if for Reaſons ſeeming good to me, (as to preſerve my Life when I am juſtly taken Priſoner, I will become a Slave; I may do it without Violating the Law of Nature.) If I propoſe to my ſelf in this *Self-homicide* a greater Good, though I miſtake it, I perceive not wherein I tranſgreſs the general Law of Nature, which is an Affection of Good, true or ſeeming: And if that which I affect by Death, be truly a greater Good, wherein is the other ſtricter Law of Nature, which is rectified Reaſon, violated?

11. Liberty, which is naturally to be preſerved, may be departed with.

SECT. III.

Another Reaſon which prevails much with me, and delivers it from being againſt the Law of Nature, is this, that in all Ages, in all Places, upon all Occaſions, Men of all Conditions, have affected it, and inclin'd to do it. And as (a) *Cardan* ſays it, [*Mettal is Planta ſepulta, and that a Mole is Animal ſepultum.*] So Man, as though he were *Angelus ſepulcus*, Labours to be diſcharged of his Earthly Sepulchre, his Body. And though this may be ſaid of all other Sins, that Men are propenſe to them, and yet for all that Frequency, they are againſt Nature, that is rectified Reaſon, yet if this Sin were againſt particular Law of Nature, (as they muſt hold,

1. That cannot be againſt Law of Nature, which Men have ever affected; if it be alſo, (as this is) againſt Sanctitive Nature, and ſo want the Allurements of other Sins.

D which

(r) *Sylvius Com. ad leg. reg. præfat.* l. 1. (a) *De Subtil.* l. 5.

which aggravate it by that Circumſtance,) and that ſo it wrought to the Deſtruction of our Species, any otherwiſe than intemperate Luſt, or Surfeit, or incurring Penal Laws, and ſuch like do, it could not be ſo general; ſince being contrary to our Senſitive Nature, it hath not the Advantage of Pleaſure and Delight, to allure us withal, which other Sins have.

2. There are not ſo many Examples of all other Vertues, as of this one Degree of Fortitude.

And when I frame to my ſelf a Martyrology of all which have periſhed by their own Means for Religion, Country, Fame, Love, Eaſe, Fear, Shame; I bluſh to ſee how naked of Followers all Vertues are in Reſpect of this Fortitude; and that all Hiſtories afford not ſo many Examples, either of cunning and ſubtle Deviſes, or of forcible and violent Actions for the Safeguard of Life, as for Deſtroying.

Petr. Arbiter. *Petronius Arbiter* who ſerved *Nero*, a Man of Pleaſure, in the Office of Maſter of his Pleaſures, upon the firſt Frown went Home, and cut his Veins. So preſent and immediate a Step was it to him, from full Pleaſure to ſuch a Death.

Attil. Regulus. How ſubtilly and curiouſly *Attilius Regulus* deſtroyed himſelf: Woe being of ſuch Integrity, that he would never have lyed to ſave his Life, lyed to loſe it; falſly pleading, that the *Carthaginians* had given him Poyſon, and that within few Days he ſhould die, though he ſtayed at *Rome*.

Codrus. Yet *Codrus* forcing of his Death, exceeded this, becauſe in that baſe Diſguiſe he was likely to periſh without Fame.

Herennius

Herennius the *Sicilian*, could endure to beat out his own Brains againſt a Poſt; and as though he had owed Thanks to that Brain which had given him this Deviſe of Killing himſelf, would not leave Beating, till he could ſee and ſalute it. *Herennius.*

Comas who had been a Captain of Theives when he came to the Torture of Examination, ſcorning all Foreign and Acceſſory Helps to die, made his own Breath the Inſtrument of his Death, by Stopping and Recluding it. *Comas.*

Annibal, becauſe if he ſhould be overtaken with extream Neceſſity, he would be beholden to none for Life nor Death, died with Poyſon, which he always carried in a Ring. *Annibal.*

As *Demoſthenes* did with Poyſon carried in a Pen. *Demoſthenes*

Ariſtarchus when he ſaw that 72 Years, nor the corrupt and malignant Diſeaſe of being a ſevere Critick, could wear him out, ſterved himſelf then. *Ariſtarchus.*

Homer which had written a Thouſand Things, which no Man elſe underſtood, is ſaid to have hanged himſelf, becauſe he uuderſtood not the Fiſher-mens Riddle. *Homer.*

Othryades who only ſurvived of 300 Champions, appointed to end a Quarrel between the *Lacedemonians* and *Athenians*, when now the Lives of all the 300 were in him, as tho' it had been a new Victory to kill them over again, kill'd himſelf. *Othryades.*

Democles, whom a *Greek* Tyrant would have forced, to ſhow that he could ſuffer any other Heat, ſcalded himſelf to Death. *Democles.*

Portia, *Cato*'s Daughter, and *Catulus Luctatius* ſought new Concluſions, and as *Quintilian* *Portia.* *Luctatius.*

calls them, [*Nova Sacramenta pereundi,*] and died by ſwallowing burning Coals.

Terence. Poor *Terence* becauſe he loſt his 108 tranſlated Comedies, drown'd himſelf.

Labienus. And the Poet *Labienus*, becauſe his Satyrical Books were burned by Edict, burnt himſelf too.

Zeno. And *Zeno*, before whom ſcarce any is preferr'd, becauſe he ſtumbled, and hurt his Finger againſt the Ground, interpreted that as a Summons from the Earth, and hang'd himſelf, being then almoſt 100 Years old. For which Act, *Diogenes Laertius* proclaims him to have been [*Mira fælicitate Vir, qui incolumis, integer, ſine Morbo exteſſit.*]

Por. Latro. To cure himſelf of a Quartane, *Portius Latro* kill'd himſelf.

Feſtus. And *Feſtus*, *Domician*'s Minion, only to hid the Deformity of a Ringworm in his Face.

Hippionax. *Hippionas* the Poet rymed *Bubalus* the Painter to Death with his Jambicks.

Macer. *Macer* bore well enough his being called into Queſtion for great Faults, but hanged himſelf when he heard that *Cicero* would plead againſt him, though the *Romans* Condemnations at that Time inflicted not ſo deep Puniſhments.

Licinius. And ſo *Caſſius Licinius* to eſcape *Cicero*'s Judgment, by Choaking himſelf with a Napkin, had (as *Tacitus* calls it) *Precium feſtinandi.* You can ſcarce imagine any Perſon ſo happy, or miſerable, ſo repos'd or ſo vain, or any Occaſion either of true Loſs, or of Shamefac'dneſs, or Frowardneſs, but that there is ſome Example of it.

Yet

Yet no Man, to me ſeems to have made harder Shift to die, than *Charondas*, who firſt having made a new Law, that it ſhould be Death to enter the Council-Chamber armed, not only offended that Law, but puniſhed it preſently by Falling upon his Sword. *Charondas.*

But the general Hour of ſuch Death is abundantly expreſſed, in thoſe Swarms of the *Roman* Gladiatory Champions, which, as *(b) Lipſius* collects, in ſome one Month coſt *Europe* 30000 Men, and to which Exerciſe and Profuſion of Life, till expreſs Laws forbad it, *(c)* not only Men of great Birth, and Place in the State, but alſo Women coveted to be admitted. 3. Of the *Roman* Gladiators in great Perſons, and great Numbers.

By *Eleazar*'s Oration recorded in *(d) Joſephus*, we may ſee how ſmall Perſwaſions moved Men to this. [*He only told them, that the* Philoſophers *among the* Indians *did ſo. And that we and our Children were born to die, but neither born to ſerve.*] 4. Small Perſwaſions drew Men to it.

And we may well collect, that in *Cæſar*'s Time, in *France*, for one who died naturally, there died many by this devout Violence. For *(e)* he ſays there were ſome, whom he calls *Devotos* and *Clientes*, *(f)* the latter Laws call them *Soldurios*) which enjoying many Benefits, and Commodities, from Men of higher Rank, always when the Lord died, celebrated his Funeral with their own. And *Cæſar* adds, that in the Memory of Man, no one was found that ever refuſed it. 5. By the Soldiery in *France* it may be gathered, that more died ſo, than naturally.

(b) *Lib.* 1. *Cap.* 12. *de Gladiator.* (c) *Idem*, l. 2. c. 3.
(d) *De Bell. Judai.* l. 7. c. 28. (e) *Lib.* 3. *com. Bell. Gall.*
(f) *Tholoſa. Synt.* l. 14. c. 10. n. 14.

Which Devotion I have read ſome where, continues yet in all the Wives in the Kingdom of *Bengala* in the *Indies:*

6. Wives in *Bengala* do ſo yet.

7. The *Samanæi* which were Prieſts in the *Indies* uſed to do it.

And there not only ſuch Perſons, as do it in Teſtimony of an entire Dependency, and of a Gratitude, but the (*g*) *Samanæi*, (which did not inherit Religion, and Prieſthood, and Wiſdom, as *Levites* did amongſt the *Jews*, and the *Gymnoſophiſts* amongſt them, but were admitted by Election, upon Notice taken of their Sanctity) are ſaid to have ſtudied Ways how to die, and eſpecially then when they were in beſt State of Health. And yet (*h*) theſe Prieſts whoſe Care was to die thus, did ever ſum up, and abridge all their Precepts into this one, *Let a pious Death determine a good Life.* Such an Eſtimation had they of this manner of Dying. (*i*) How pathetically *Latinus Pacatus* expreſſes the Sweetneſs of Dying when we will; [*Others*, ſaith he, *after the Conqueſt, making a braver Bargain with Deſtiny, prevented uncertain Death by certain; and the Slaves eſcaped Whipping by Strangling. For who ever fear'd, after there was no Hope? Or who would therefore forbear to kill himſelf, that another might? Is another's Hand eaſier than thine own? Or a private Death fouler than a publick? Or is it more Pain to fall upon thy Sword, and to oppreſs the Wound with thy Body, and ſo receive Death at once, than to divide the Torment, bend the Knee, ſtretch out the Neck, perchance to more than one Blow?*] And then wondering why *Maximus*, who had before murdered *Gratian*, and was now ſuppreſſed

8 *Lat. Pacat.* expreſſeth this Death pathetically

(g) *Porphyr. de Abſtin. antiq.* (h) *Heurnius de Philoſoph. Barbar.* l. 2. c. 2. (i) *Panegyr. Theodoſio.*

ſed by *Theodoſius*, had not enjoyed the common Benefit of killing himſelf, he turns upon *Gratian*, and ſays, [*Thou Reverend* Gratian, *haſt chaſed thine Executioner, and would'ſt not allow him Leiſure for ſo honeſt a Death, leſt he ſhould ſtain the ſacred Imperial Robe with ſo impious Blood, or that a* Tyrant's *Hand ſhould perform thy Revenge, or thou be beholden to him for his own Death.*] And with like Paſſion ſpeaks another *Panegyrick* to *Conſtantine*, who after a Victory, took their Swords from the Conquered, *Ne quis incumberet dolori.* By which Language one may ſee, how natural it was to thoſe Times, to affect ſuch Diſpatch.

9. How the *Spaniards* corrected this natural Deſire in the *Indians.*

And in our Age, (*k*) when the *Spaniards* extended that Law, which was made only againſt the *Canibals*, That they who would not accept Chriſtian Religion, ſhould incur Bondage; the *Indians* in infinite Numbers eſcaped this by killing themſelves; and never ceaſed, till the *Spaniards* by ſome Counterfeitings made them think, that they alſo would kill themſelves, and follow them with the ſame Severity into the next Life.

And thus much ſeeming to me ſufficient, to defeat that Argument which is drawn from *Self-preſervation*, and to prove that it is not ſo of particular Law of Nature, but that it is often tranſgreſſed naturally, we will here end this Second Diſtinction.

(k) *Matal, Metel. præfat. in Hiſt. Oſorij.*

DISTINCTION III.

SECT. I.

1. After Civility and Chriſtianity quenched this natural Deſire, in the place thereof, there ſucceeded a thirſt of Martyrdom.

2. How leiſurely the Cuſtom of Killing at Funerals wore out.

AFter this when Men by Civility and mutual Uſe one of another, became more thrifty of themſelves, and ſparing of their Lives, this Solemnity of killing themſelves at Funerals wore out and vaniſh'd; yet leiſurely, and by unſenſible Dimunitions; (*a*) [*For firſt in Shew of it, the Men wounded themſelves, and the Women ſcratched and defaced their Cheeks, and ſacrific'd ſo by that Aſperſion of Blood. After that, by their Friends Graves they made Graves for themſelves, and entred into them alive, (as Nuns do when they renounce the World.) And after in ſhow of this ſhow, they only took ſome of the Earth, and wore it upon their Heads: And ſo for the Publick Benefit were content to forfeit their Cuſtom of Dying.*

3. *Moſes* deliver'd, and the Philoſophers ſaw the State of the next Life, but unperfectly.

And after Chriſtianity, which beſides the many Advantages above all other Philoſophies, that it hath made us clearly to underſtand the State of the next Life: Which *Moſes* and his Followers (though they underſtood it) diſguis'd ever under earthly Rewards, and Puniſhments; either becauſe Humane Nature after the firſt Fall, till the Reſtitution and Dignification thereof by Chriſt, was generally incapable of ſuch Myſteries, or, becauſe it was reſerved to our bleſſed Saviour to interpret and comment upon his own Law, and that

(a) *Sylvius Com. ad leg. reg.* c. 24.

that great ſucceſſive Trinity of Humane Wiſdom, *Socrates*, *Plato*, and *Ariſtotle*, ſaw but glimmeringly and variouſly; as alſo for Matters of this Life, the moſt Stoick and ſevere Sect that ever caſt Bridle upon Mankind, I ſay, after Chriſtianity had quench'd thoſe Reſpects of Fame, Eaſe, Shame, and ſuch, how quickly naturally Man ſnatch'd and embraced a new Way of Profuſing his Life by Martyrdom.

Sect. II.

For whil'ſt the famous Acts, or famous Sufferings of the *Jews*, for Defence even of Ceremonies, (many Thouſands of them being ſlain, only becauſe they would not defend themſelves upon the Sabbath:) And whil'ſt the Cuſtom of that Nation ever embrued in Sacrifices of Blood, and all, moſt of all other Nations devout and earneſt even in the Immolation of Men. And whil'ſt the Example of our bleſſed Saviour, who choſe that Way for our Redemption to ſacrifice his Life, and profuſe his Blood, was now freſh in them, and govern'd all their Affections, it was not hard for their Doctors even by natural Reaſons, and by Examples to invite, or to cheriſh their Propenſeneſs to Martyrdom.

1. That this was for the moſt part inſinuated into Men by natural Reaſons, and much upon Humane Reſpects.

Clement therefore when he handles this Point, ſcarce preſents to them any other Argument than natural Men were capable of, and ſuch Food, and ſuch Fuel, as would ſerve the Taſte and Fervour of ſuch an one as were not curious above Nature. As that Death was not naturally Evil: That Martyrdom was the Beginning of another Life. That the *Heathen* endu-

Stromat. l. 4.

2. So proceeded *Clement.*

endured greater Pains for leſs Reward. That a barbarous People immolated every Year a principal Philoſopher to *Xamolxis* an Idol; and they upon whom the Lot fell not, mourned for that. And with moſt Earneſtneſs that Martyrdom is in our own Power: Which be Arguments better proportioned to Nature, than to Divinity; and therefore *Clement* preſumed them Men inclined, or inclinable by Nature to this Affection.

L. cont. Gnoſtic. 3. So did *Tertullian.*

Tertullian's Reaſons are ſomewhat more ſublime; yet rather fine, and delightful, than ſollid and weighty: As, That God knowing Man would ſin after Baptiſm, provided him *Secunda ſolatia, Lavacrum Sanguinis:* That the Death of Saints, which is ſaid to be precious in God's Sight, cannot be underſtood of the natural Death common to all: And that from the Beginning in *Abel* Righteouſneſs was afflicted. And theſe Reaſons were not ſuch as would have entered any, in whom a natural Inclination had not ſet open the Gates before.

Lib. de exhort. Martyrii ad fortunatum. So did *Cyprian.*

Cyprian alſo takes the ſame Way; and inſiſts upon Application of Prophecies of theſe Two Sorts; That they ſhould be diſpiſed in this World, and that they ſhould be rewarded in the next.

4. External Honours to Martyrs.

To theſe were added external Honours, (*a*) Annual celebrating their Memories, and entituling their Deaths, *Natalitia*; and (*b*) that early inſtituting of the Office of Notaries to regulate their Paſſions, even in *Clement*'s Time; and (*c*) the propoſing their *Salita capita*

(a) *Tertul. de Corona Milit.* (b) *Damaſc. & Platin.* (c) *Hadr. Junius in Eunapii vita.*

capita to be worſhipped; which Word (tho' *Eunapius* ſpeak it prophanely) was not undeſerved by the general Miſuſe of ſuch Devotion.

And (*d*) after the Monopoly of Appropriating Martyrdom, and eſtabliſhing the Benefit thereof upon them only which held the Integrity of Faith, and were in the Unity of the Church; of which Perſwaſion *Auguſtine* and *Hierom*, and moſt of the Ancients are cited to be; and then by continual increaſing the Dignity and Merit of it, as that (*e*) *Ex opere operato*, it purged Actual Sin, as Baptiſm did Original; and (*f*) that without Charity, and in Schiſm, though it merited not Salvation, yet it diminiſhed the Intenſneſs of Damnation. 5. Monopoly of Martyrdom.

And by theſe they incited Man's Nature to it, which alſo might be a little corruptly warmed towards it, by ſeeing them ever puniſh'd who afflicted them, for ſo (*g*) *Tertullian* ſays, That [*No City eſcaped Puniſhment, which had ſhed Chriſtian Blood.*] 6. God's Puniſhments upon their Perſecutors, encouraged Men to Martyrdom.

After this, they deſcended to admit more into their Fellowſhip, and communicate and extend theſe Priviledges: For by ſuch Indulgence are (*h*) *Herod*'s Infants, Martyrs: So is *John Baptiſt*, though he died not for a Matter of Chriſtian Faith: So (*i*) is he which ſuffers for any Vertue, and he which dies in his Mother's Womb, if ſhe be a Martyr. (*k*) And 7. Extending Priviledges of Martyrs to many.

(d) *Fevardentius*, l. 8. c. 13. *Baron. Martyr.* cap. 10. (e) *Carbo. Caſ. Conſ.* Tom. 2. p. 2. c. 6. (f) *De pœniten. Diſt.* 1. *Si qui autem. Ex Aug. de pœnitent.* (g) *Ad Scapulam.* (h) *Aug. Epiſt. ad Hieron.* 28. *De Nat. & Orig. Anim.* (i) *Aphoris: Eman. Sa. verbo Martyr.* (k) *Tho.* 22. *Q.* 124. *Ar.* 4. *ad quart.*

And ſo is he which being for Chriſtian Profeſſion wounded deadly, recovers: And he which being not deadly wounded, dies after of Sickneſs contracted by his own Negligence, if that Negligence amounted not to mortal Sin.

8. Contrary Reaſons cheriſhed this Deſire in them.

So not only the ſickly and infirm ſucceeding Ages, but even the pureſt Time; did cheriſh in Men this Deſire of Death, even by contrary Reaſons; both which notwithſtanding by change of Circumſtances, had Appearance of Good. For as Fire is made more intenſe, ſometimes by ſprinkling Water, ſometimes by adding Fuel. So when their Teachers found any Coolneſs or Remiſſneſs in them, and an Inclination to Flight, or Compoſition with the State, then (*l*) *Cyprian* noted ſuch with the Ignominy of *Libellatici*, becauſe they had taken an Acquittance of the State, and ſays of them, [*Culpa minor Sacrificatorum, ſed non innocens Conſcientia.*]

9. *Cyprian Libellatici.* Compounders with the State.

10 *Tertullian* condemns flying in Perſecution.

And then (*m*) *Tertullian* equally infames Flying away, and ſuch Marchandizing, when he ſays, [*Perſecution muſt not be redeemed; for Running away is a Buying of your Peace for nothing, and a Buying of your Peace for Money is a Running away.*]

11. Death became to be held neceſſary to make one a Martyr.

And then we ſhall find that even againſt the Nature of the Word Martyr, it became the common Opinion, that Death was requiſite and neceſſary to make one a Martyr.

So in (*n*) *Euſebius*, the Chriſtians though afflicted, modeſtly refuſe the Name of Martyrs, and profeſs that they have not deſerved it, except they may be kill'd.

Con-

(l) *Sermo de lapſis.* (m) *De fuga. propoſitio*, 2. (n) *Hiſtor.* l. 5, c. 2.

Contrariwiſe in other Times, when the Diſeaſe of headlong dying at once, ſeemed both to wear out their Numbers, and to lay ſome Scandal upon the Cauſe, which wrought ſuch a Deſire in Men, which underſtood not why they did it, but uninſtructed, uncatechized, yea unbaptized, (but that the Charity of the Supervivers imputed to them *Baptiſma fluminis*, as they hope, or at leaſt, *Sanguinis*, for that they ſaw) did only, as they ſaw others do: Then I ſay (as (*o*) a learned Writer of our Time ſays, [*That the Church abſtains from eaſie Canonizing, Ne vileſcerat Sanctitas*] (which is not here Holineſs, but Saintſhip) leſt the Dignity of Martyrdom ſhould be aviled by ſuch promiſcuous Admittance to it, they were often contented to allow them the Comfort of Martyrdom without dying; which was but a Returning to the natural Senſe of the Word.

12. In Times when they exceeded in diſcreet expoſing themſelves, they taught that Martyrs might be without dying.

So *Ignatius* ſtiles himſelf in his Epiſtles, Martyr. Yea, more than the reſt he brought down the Value thereof, and the dear Purchaſe, for he ſays, (*p*) [*That as he which honours a Prophet in the Name of a Prophet, ſhall have a Prophet's Reward; ſo he ſhall have a Martyr's Reward which honours* [*Victum Chriſti.*] And ſo our moſt bleſſed Saviour, proceeding in his merciful Purpoſe of Increaſing his Kingdom upon Earth, yet permitting the Heathen Princes to continue their's as yet, the Chriſtian Religion was dilated and oppreſſed; and the Profeſſors thereof, ſo dejected and worn with Confiſcations and Impriſonments, thought

Ad Polycarp.

(*o*) *Azor. Mor. Inſtit.* p. 2. lib. 5. cap. 7. (*p*) *Ad Smirnem.*

thought that as in the (q) *Paſſover* from *Egypt*, every Door was ſprinkled with Blood: So Heaven had no Door from this World but by Fires, Croſſes, and bloody Perſecutions: And preſuming Heaven to be at the next Step, they would often ſtubbornly or ſtupidly wink, and ſo make that one Step.

God forbid any ſhould be ſo malignant, ſo to miſ-interpret me, as though I thought not *the Blood of Martyrs to be the Seed of the Church*, or diminiſhed the Dignity thereof; yet it becomes any Ingenuity to confeſs, that thoſe Times were affected with a Diſeaſe of this natural Deſire of ſuch a Death; and that to ſuch may fruitfully be applied thoſe Words of the good B. *Paulinus*, (r) [*Athleta non vincit ſtatim, quia eruitur: Nec ideo tranſnatant, quia ſe ſpoliant.*] Alas! we may fall and drown at the laſt Stroak; for, to ſail to Heaven, it is not enough to caſt away the burdenous Superfluities which we have long carried about us, but we muſt alſo take in a good Fraight. It is not Lightneſs, but an even-repoſed Stedfaſtneſs, which carries us thither.

13. *Cyprian. profeſſ.* Men who offered their Lives before they were called.

But (ſ) *Cyprian* was forced to find out an Anſwer to this Lamentation, which he then found to be common to Men on their Death-Beds, [*We mourn becauſe with all our Strength we had vowed our ſelves to Martyrdom, of which we are thus deprived, by being prevented by natural Death.*] And (t) for them, who before were called upon, offered themſelves to Martyrdom, he is fain to provide the glorious and ſatisfactory Name of Profeſſors.

From

(q) *Exod.* 12. 7. (r) *Severo, Ep.* 2. (ſ) *De Contempt. mortis.* (t) *Baroni. Mar.* 2. *Ian. H.*

From ſuch an inordinate Deſire, too obedient to Nature, proceeded the Fury of ſome Chriſtians, (*u*) who, when Sentence was pronounced againſt others, ſtanding by, cried out, *We alſo are Chriſtians.* 14. Enforcers of their own Martyrdom.

And that inexcuſable Forwardneſs of *Germanus*, (*x*) who drew the Beaſt to him, and enforced it to tear his Body: And why did he this? *Euſebius* delivers his Reaſon; That he might be the ſooner delivered out of this wicked and ſinful Life. Which (*y*) Acts *Euſebius* glorifies with this Praiſe; [That they did them, *Mente digna Philoſophis.*] So that it ſeems wiſeſt Men provoked this by their Examples: As (*z*) at the Burning of the Temple at *Jeruſalem*, *Meirus* and *Joſephus*, though they had Way to the *Romans*, caſt themſelves into the Fire. How paſſionately (*a*) *Ignatius* ſolicites the *Roman* Chriſtians not to interrupt his Death: [*I fear*, ſaith he, *your Charity will hurt me, and put me to begin my Courſe again, except you endeavour that it may be ſacrificed now. I proteſt to all Churches*; Quod voluntarius morior.] *And after*, Blandiciis demulcere feras; *Entice and corrupt the Beaſts to devour me, and to be my Sepulchre*; fruar Beſt is; *Let me enjoy thoſe Beaſts, whom I wiſh much more cruel than they are; and if they will not attempt me, I will provoke and draw them by Force.*] And what was *Ignatius*'s Reaſon for this, being a Man neceſſary to thoſe Churches, and having allowable Excuſes of avoiding it? [*Quia mihi utile mori eſt.*] Such an Intemperance urged the Woman of *Ediſſa*, (*b*) when 15 Examples of inordinate affecting of Martyrdom. *Germanus.* 16. *Ignatius* Solicitation for it. *Ediſſena.*

(*u*) *Euſeb. Hiſt.* l. 8. c. 9. (*x*) *Hiſt.* lib. 4. cap. 14.
(*y*) *Hiſt.* l. 4. c. 10. (*z*) *Joſeph. de Bel. Jud.* l. 7. c. 11.
(*a*) *Ignati. Epiſt. ad Roman.*

(*b*) when the Emperor *Valens* had forbidden the Chriſtians one Temple, to which particular Reaſons of Devotion invited them, to enrage the Officers with this Contumely when they asked her, why thus ſquallid, and headlong ſhe dregg'd her Son through the Streets; I do it leaſt when you have ſlain all the other Chriſtians, I and my Son ſhould come too late to partake that Benefit. And ſuch a diſorderly Heat poſſeſſed that (*c*) old wretched Man, which paſſing by after the Execution of a whole Legion of 6666, by iterated Decimation, under *Maximianus*, although he were anſwered, that they died not only for reſiſting the *Roman* Religion, but the State; for all that, wiſh'd that he might have the Happineſs to be with them, and ſo extorted a Martyrdom. For that Age was grown ſo Hungry and Ravenous of it, that many were baptized only becauſe they would be burnt, and Children taught to vex and provoke Executioners, that they might be thrown into the Fire.

17. Laws forbidding more Executions made to deſpite Chriſtians.

And this Aſſuredneſs that Men in a full Perſwaſion of doing well would naturally run to this, made (*d*) the Pro-Conſul in *Africk* proclaim, Is there any more Chriſtians which deſire to die? And when a whole Multitude by general Voice diſcovered themſelves, he bid them [*Go hang and drown your ſelves, and eaſe the Magiſtrate.*] And this natural Diſpoſition, (*e*) afforded *Mahomet* an Argument againſt the *Jews*, [*If your Religion be ſo good, why do you not die?*] For our Primitive Church

(b) *Nicephor.* l. 11. c. 21. (c) *Speculum vinc.* Tom. 4. lib. 11. cap. 40. (d) *Bod. Damon.* l. 4. c. 3. *ex Tertulia.* (e) *Alc.* 72. *Az.*

Church was ſo enamored of Death, and ſo ſatisfied with it, that to vex and torture them more, *(f)* the Magiſtrate made Laws to take from them the Comfort of Dying, and encreaſed their Perſecution by Ceaſing it, for they gloried in their Numbers.

18. Glory in the Numbers of Martyrs.

And as in other Warfares Men muſter and reckon how many they bring into the Field, their Confidence of Victory was in the Multitudes of them which were loſt. So they admit into the Catalogue *Herod*'s Infants, and the 11000 Virgins. And *(g)* when 9000 Soldiers under *Adrian* by Apparition of an Angel, are ſaid to have embraced Chriſtian Religion, and when the Emperor ſent others to execute them, 1000 of thoſe Executioners joyn'd to them and ſo the whole 10000 were crucified. *(h)* And of an intire Legion maſſacred at once, we ſpoke but now. And *Baronius* *(i)* ſpeaks of 10000 crucified in *Armenia*, celebrated upon the 12th of *June*: Whether divers from the 10000 under *Adrian*, or no, I have not examined. *(k)* Saint *Gregory* ſays, [*Let God number our Martyrs, for to us they are more in Number than the Sands.* And *(l)* *Baronius* ſays, That excepting the Firſt of *January*, (which yet in the *Roman* Martyrology Records as many, as moſt other Days) there is no Day which hath not 500 Martyrs; almoſt every one hath 900, or 800.

(f) *Ex Tertul. Bodin. Supra.* (g) *Specul. Vin.* Tom. 4. l. 10. c. 88. (h) *Supra, fo.* 66. (i) *Baron. Mart.* 22. *June.* (k) *Homil.* 27. *in Evangel.* (l) *Martyrolog.* c. 8.

Sect. III.

1. That Hereticks ſeeing the Dignity gained by Martyrdom, laboured to avert them from it, but could not correct this natural Inclination.

And when the Church encreaſed abundantly under all theſe Preſſures, (for, As in profane and ſecular Wars, the greater the Triumphs of a Conqueror are, the greater alſo are his Armies, becauſe then more and more concur to his Splendor, and to participate his Fortunes: So in this ſpiritual Warfare, the greater the triumhpant Church was, the greater grew the Militant, aſſiſted both with the Example and Prayers of the other.) And when all theſe Treadings down did but harrow our Saviour's Field, and prepare and better it for his Harveſt. The Blood of the Martyrs (for though, as I ſay ſtill, very many died out of a natural Infirmity of deſpiſing this Life, a great Number had their direct Mark upon the Glory of God, and went to it awake) having, as a (*a*) *Nicephorus* ſays, almoſt ſtrangled the Devil, he tried by his Two greateſt Inſtruments, (when they are his) the Magiſtrate, and the Learned, to avert them from this Inclination.

2. The Devil labours the Magiſtrates to quench their Deſire of Dying.

For, ſuggeſting to the Magiſtrate that their Forwardneſs to die, grew only from their Faith in the Reſurrection, he (*b*) procur'd their Bodies to be burnt, and their Aſhes ſcattered into Rivers, to fruſtrate and defeat that Expectation; and he raiſed up ſubtle Hereticks, to infirm and darken the Vertue and Majeſty of Martyrdom.

Of

(a) *Lib.* 4. *cap.* 2. (b) *Specul. Vinc. Tom.* 4. *cap.*102. *lib.* 10.

Of which the moſt peſtilently cunning *Baſilides*, fore-ſuſpecting that he ſhould not eaſily remove that Deſire of Dying, which Nature had bred, and Cuſtom confirmed in them, tried to remove that which had Root only in their Religion, as being yet of tenderer Growth, and more removable than natural Impreſſions. Therefore he offered not to impugne their expoſing themſelves to Death in all Caſes, but only ſaid, (*c*) that it was Madneſs to die for Chriſt, ſince he, by whoſe Example they did it, was not crucified, but *Simon* who bore the Croſs.

Baſilides Hereſ. Anno 134.

3. *Baſilides* denied Chriſt to have been crucified, and that therefore they died madly.

Another (*d*) Heretick, called *Helcheſar*, perceiving that it was too haſty to condemn the Act of Martyrdom even for Chriſt, thought only to ſlacken their Deſire to it, by teaching, that in Time of Perſecution, ſo we kept our Heart at Anchor ſafe, we were not bound to teſtifie our Religion by any outward Act, much leſs by dying.

4. *Helcheſar*, that outward Profeſſion of Religion was not needful.

Which Doctrine the *Gnoſtici* alſo taught, but prevailed little, both becauſe the Contrary was rooted in Nature, and becauſe they accompanied this Doctrine, with many others, foul and odious even to Senſe; and becauſe they were reſiſted by *Tertullian*, a Man mighty, both in his general Abilities, and in his particular and profeſſed Earneſtneſs to magnifie Martyrdom: And againſt theſe he writ his *Scorpiacum*.

5. That alſo the *Gnoſtici* taught, and why they prevailed not.

(*c*) *Alſon. Caſtr. verb. Martyr. ex Philaſt.* (*d*) *Prateolus l.* 5. *ex Niceph.*

SECT. IV.

1. That Hereticks failing herein, took natural Ways, of overtaking the Orthodox in Numbers of Martyrs.

This Way giving no Advantage to Hereticks, they let loose the Bridle of their own Nature too, and apprehended any Occasion of dying as forwardly as the Orthodoxal Christians. And because the other prescrib'd against them, and were before hand with them in Number, to redeem Time and overtake them, they constituted new Occasions of Martyrdom.

2. *Petilian* new Way of Martyrdom

3. Another new Way of the *Circumcelliones* & *Circuitores.*

(*a*) *Petilian* against whom St. *Augustine* writ, taught, that whosoever kill'd himself as a Magistrate, to punish a Sin committed before, was a Martyr.

And they who are by St. *Augustine*, and others, called *Circumcelliones* and *Circuitores*, (because (I think) as their Master, they went about to devour) would intreat, perswade, inforce others to kill them, and frustrated after all those Provocations, would do it themselves, and by their Survivors be celebrated for Martyrs. These were of the (*b*) *Donatists*, of whom St. *Augustine* says, To kill themselves out of Respect of Martyrdom, was *Ludus Quotidianus*. Other Hereticks also, whose Errors were not about Martyrdom, hastened to it. So the (*c*) *Cataphrygæ* who erroniously baptizing the Dead, ordaining Women, annulling second Marriages, and erring in such Points, (*d*) could soon boast of their Number of Martyrs; perchance because *Tertullian* being then on their Part, they found

(a) *Alf. Castr. ver. Martyrium.* (b) *To.* 2. *Ep.* 50. (c) *Pra-teolus.* (d) *Baron. Martyr. C.* 10.

found him, as he was whereſoever he came, a hot Encourager of Men to Martyrdom. It is complain'd in (*e*) *Euſebius*, that Hereticks ſeeing their Arguments confuted, fled now to their Number of Martyrs, in which they pretended to exceed the others. And from their Numbers of Martyrs, (*f*) the *Euphenitæ* called themſelves *Martyrians*. And thereupon (*g*) *Baronius* ſays, [*Amongſt the Heathen perchance you may hear, and there find one* Empedocles, *which will burn himſelf, but amongſt the* Donatiſts, *Hominum examinæ.*]

10. *Euphenitæ* therefore called *Martyrians.*

Sect. V.

So that the Authority gained by their Forwardneſs to equal the Number of true Martyrs, was ſo great, and began ſo far to perplex the World, that ſome Councils foreſeeing, that if both Sides did it equally, it would all be imputed to Humane Reſpects, began to take it into their Care to provide againſt it. And thereupon (*a*) our Council exhibites an expreſs Canon, That no Chriſtian leaving true Martyrs, ſhould go to falſe *Quia alieni a Deo.* And (*b*) another corrects the other Hereſie of diminiſhing the Reputation of Martyrs thus, *Martyrum dignitatem nemo profanus infamet.*

1. Hereupon Council took it into their Care to diſtinguiſh true Martyrs, from thoſe who died for Natural and Humane Reſpects.

(e) *Hiſt.* l. 5. c. 15. (f) *Baron. Martyrol. ca.* 10. *Ex. Epiph. Hær.* 80. (g) *Schultingius, To.* 3. *c.* 177.
(a) *Conc. Laodic. Can.* 33. (b) *Conc. Carth.* 1. *C.* 2.

Sect. VI.

1. Therefore latter Authors do ſomewhat remit the Dignity of Martyrdom

Thus when the true Spirit of God drew many, the Spirit of Contention many, and other natural Infirmities more, to expoſe themſelves eaſily to Death, it may well be thought, that from thence the Authors of theſe latter Ages, have ſomewhat remitted the Intenſneſs of Martyrdom, and mingled more Allays, or rather more Metal, and not made it of ſo great Value alone, as thoſe earneſt Times did: For ſince (*a*) St. *Thomas* ſaid, [*That though Martyrdom be a Work of greateſt Perfection, yet it is not of it ſelf, but as it is wrought by Charity, and expreſſes that.*]

Vaſques (*b*) reprehends *Cordubenſis* for ſaying, that it is any Worſhip of God: For [*It is not*, ſays he, *a Sacrifice nor Work of Religion, but of Fortitude, which is but a moral Vertue.*] Therefore it is now (*c*) taught, [*That it is a mortal Sin to provoke another to inflict Martyrdom.*] And (*d*) a Martyr, (though Martyrdom purge much) is bound to cleanſe himſelf by every one of the Degrees of Penance; for ſaith *Carbo*, [It is not *Sacramentum*, but *Opus privilegiatum.*] So they ſeem tender and loth by Addition of religious Incitements, to cheriſh or further that Deſire of dying, to which by reaſon of our Weakneſs, and this World's Encumbrances, our Nature is too propenſe and inclined.

Only

(a) 22. Q. 124. *Ar.* 3. (b) *De Adoratione, L.* 1. *N.* 42. (c) *Navar. Man.* Cap. 10. N. 40. (d) *Carbo. Caſ. Conſ. To.* p. 2. c. 6.

Only the *Jeſuits* boaſt of their Hunting out of Martyrdom in the new Worlds, and of their Rage till they find it. (*e*) He which hath brought them all upon one Scene, ſays, That [*Altonſus Caſtro* at his Execution in the *Molucca*, was ſo overjoyed that he forgot his Modeſty. [*Rapimus Martyrium*, ſays he, *ſpontanea irruptione*;] and [one would think, that it were a Diſeaſe in us;] [which we do, leſt the reſt of our Life ſhould be *Meritis Sterile*, and *Gloria Vacuum*;] [we bargain and contract with our Profeſſion, upon that Condition; that we may *Prodigere Animas in hoſtili Ferro*;] [and we poſſeſs no more, than ſuch ſmall Matters as only ſerve to cut off our Life.] So that, if this Deſire of dying be not agreeable to the Nature of Man, but againſt it, yet it ſeems that it is not againſt the Nature of a *Jeſuit*. And ſo we end this Diſtinction, which we purpoſed only for the Conſideration of this Deſire of Martyrdom, which ſwallowed up all the other Inducements, which, before Chriſtianity contracted them, tickled and inflamed Mankind.

2. The *Jeſuits* ſtill profeſs an enormous Love to ſuch Death.

DISTINCTION IV.

SECT. I.

THere remains only for the Fourth and Laſt Diſtinction of this Firſt Part, our Reaſon by which this *Self-Homicide* ſeems to me

1. Laws and Cuſtoms of well policed Eſtates having admitted it, it is not likely to be againſt Law of Nature.

(*e*) *Clarus Bonarſicus Amphitheat. Hono.* l. 1. c. 4.

me to eſcape the Breach of any Law of Nature, which is, that both expreſs literal Laws, and mute Law, Cuſtom hath authorized it, not only by Suffering, and Connivency, but by Appointing it.

2. True and Idæated Commonwealths have allowed it.

And it hath the Countenance not only of many flouriſhing and well-policed States, but alſo of Imaginary Commonwealths, which cunning Authors have idæated, and in which ſuch enormous Faults are not like to be admitted. Amongſt the *Athenians* condemned Men were their own Executioners by Poyſon. And amongſt the *Romans* often by Bloodlettings. And it is recorded of many Places, that all the *Sexagenarii* were by the Laws of wiſe States, precipitated from a Bridge. Of which, if (*a*) *Pierius* his Conjecture be true, that this Report was occaſioned by a Cuſtom in *Rome*, by which Men of that Age were not admitted to Suffrage: And becauſe the Way to the Senate was *Per pontem*, they which for Age were not permitted to come thither, were called *Depontani*, yet it is more certain, that (*b*) amongſt the *Ceans* unprofitable old Men poyſoned themſelves; which they did crown with Garlands, as Triumphers over humane Miſery. And the (*c*) *Ethiopians* loved Death ſo well, that their greateſt Malefactors being condemned to Baniſhment, eſcaped it ordinarily by killing themſelves.

Athenians.

Romans.

Depontum.

Ceans.

3. Civil Law and all others, preſume it, in condemned Men.

(*d*) The Civil Law, where it appoints no Puniſhment to the Delinquent in this Caſe, neither in his Eſtate nor Memory, puniſhes a Keeper, if his Priſoner kill himſelf; out of

a

(a) *Hieroglyph.* l. 17. (b) *Ælianus. l.* 3. *c.* 26. (c) *Diod. Sicul.* 2. *bib. Æthiopians.* (d) *Dig.* l. 48. *tit.* 3. *leg. final.*

a Prejudice, that if Means may be afforded them, they will all do ſo.

And do not we ſee it to be the Cuſtom of all Nations now, to manacle and diſarm condemned Men, out of a Fore-aſſurance that elſe they would eſcape Death by Death? (*e*) Sir *Thomas Moore* (a Man of the moſt tender and delicate Conſcience, that the World ſaw ſince St. *Auguſtine*) not likely to write any Thing in jeſt, miſchievouſly interpretable ſays, That in *Utopia*, the Prieſts and Magiſtrates did uſe to exhort Men afflicted with incurable Diſeaſes, to kill themſelves, and that they were obeyed as the Interpreters of God's Will: But that they who killed themſelves without giving an Account of their Reaſons to them, were caſt out unburied. And (*f*) *Plato* who is uſually cited againſt this Opinion, diſputes in it, in no ſeverer Faſhion, nor more peremptory than thus: [*What ſhall we ſay of him, which kills his neareſt and moſt dear Friend? Which deprives himſelf of Life, and of the Purpoſe of Deſtiny? And not urged by any Sentence, or heavy Misfortune, nor extream Shame, but out of a Cowardlineſs, and Weakneſs of a fearful Mind, doth unjuſtly kill himſelf? What Purgatory, and what Burial by Law belongs to him, God himſelf knows. But let his Friends inquire of the Interpreters of the Law, and do as they ſhall direct.*] You ſee nothing is delivered by him againſt it, but modeſtly, limitedly, and perplexedly.

4. In *Utopia* authorized.

5. And by *Plato* in certain Caſes.

And this is all which I will ſay of the firſt Member of that Definition of Sin, which I under-

6. Concluſion of the Firſt Part.

(*e*) *Utop.* l. 2. c. *de Servis.* (f) *De leg*, 9.

undertook, which is, tranſgreſſing of the Law of Nature: Wherein I make account that I have ſufficiently delivered and reſcued this *Self-homicide*, from any ſuch violating of the Law, as may aggravate the Fact, or make it heinous.

THE

THE SECOND PART OF THE Law of Reaſon.

DISTINCTION I.

SECTION I.

THAT Part of the Definition of Sin, which we received for the Second Place, is, That it be againſt the Law of Reaſon; where, if we ſhould accept Reaſon for *Rectà Ratio*, (eſpecially primarily and originally,) it would be the ſame as Law of Nature. Therefore I rather chooſe to admit ſuch an Acceptation thereof, as may bring moſt Doubts into Diſputation, and ſo into Clearneſs.

1. That the Law of Reaſon, is Concluſions drawn from primary Reaſon by Diſcourſe.

Reaſon therefore in this Place ſhall ſignifie Concluſions drawn and deduced from the primary Reaſon, by our Diſcourſe and Ratiocination: And ſo Sin againſt Reaſon, is Sin againſt ſuch Arguments and Concluſions as may by good Conſequence be derived from primary

primary and original Reaſon, which is Light of Nature.

2How much Strength, Reaſons deduced have.

This primary Reaſon therefore, againſt which none can plead Licence, Law, Cuſtom or Pardon, hath in us a Sovereign, and Maſculine Force; and by it, through our Diſcourſe, which doth the Motherly Office of ſhaping them, and bringing them forth and up, it produces Concluſions and Reſolutions.

Sect. II.

1. Of this ſort of Reaſons, general Laws have the greateſt Authority.

And as in Earthly Kingdoms, the King's Children, and theirs, and their Race, as far as we may reaſonably preſume any Tincture of Blood, have many Priviledges and Reſpects due to them, which yet were forfeited if there appeared any Baſtardy or Interruption of lawful Deſcent from that Root; and though theſe Reſpects and Obſequiouſneſs, belong to them as they are propagated from that Root, and as ſome Sparks of that Sovereignity glimmer in them, yet their Servants and Officers take them where they find them, and conſider them only as Dukes, or Lords, and Poſſeſſors of Patrimonial Eſtates, but every Man's Heart and Allegeance is directed and faſtned upon the Prince, and perchance a Step or two lower, with a preſent and immediate Relation to the Father, and what they have from him. So when from thoſe true Propoſitions, which are the eldeſt Children and Iſſue of our Light of Nature, and of our Diſcourſe, Concluſions are produced, thoſe Concluſions alſo have now the Nature of Propoſitions, and beget more; and to all theſe there

there belongs an Aſſent and Submiſſion on our Parts, if none by the Way have been corrupted and baſtarded by Fallacy. And though (as in the other Caſe) Men of a weak Diſpoſition, or lazy, or flattering, look no farther into any of theſe Propoſitions, than from whoſe Mouth it proceeds, or what Authority it hath now, not from whence it was produced, yet upon the Heir apparent, which is, every neceſſary Conſequence from natural Light, every Man's Reſolution is determin'd, and arreſted by it, and ſubmitted to it. And though Humane Laws, by which Kingdoms are policed, be not ſo very near to this Crown of certain Truth, and firſt Light, (for if they were neceſſary Conſequences from that Law of Nature, they could not be contrary in divers Places and Times, as we ſee Laws to be) yet I do juſtly eſteem them nearer, and to have more of that Blood Royal in them, than the Reſolutions of particular Men, or of Schools.

Both becauſe it is of the Eſſence of all humane Law, that it agrees with Nature, (I mean for the Obligation *In interiori Foro*, without which, a Law hath no more Strength than an Uſurper, whom they which obey, watch an Opportunity to diſpoſſeſs.)

2. For that is of there Eſſence that they agree with Law of Nature.

And becauſe Aſſemblies of Parliaments, and Councils, and Courts, are to be preſumed more diligent for the Delivery aud Obſtetrication of thoſe Children of natural Law, and better witneſs that no falſe nor ſuppoſititious Iſſue be admitted, than any one Man can be. For (*a*) the Law is therefore well call'd *Communis*

3. And there is better Teſtimony of their producing, than of private Mens Opinions.

(a) *Dig. l.* 1. *tit.* 3. *le.* 1. *lex eſt.*

munis Reip. ſponſio, becauſe that Word ſignifies as well, that, to which they have all betroth'd themſelves, as, the Security and Stipulation which the State gives for every Man's Direction and Aſſurance in all his civil Actions. Since therefore we have in the Firſt Part throughly examined, whether this *Self-homicide* be always of Neceſſity againſt the Law of Nature, it deſerves the firſt Conſideration in this Second Part, to inquire how far humane Laws have determined againſt it, before we deſcend to the Arguments of particular Authors, of whatſoever Reverence or Authority.

SECT. III.

1. Of Laws, the Imperial Law ought firſt to be conſidered.

And becauſe in this Diſquiſition, that Law hath moſt Force and Value, which is moſt general, and there is no Law ſo general, that it deſerves the Name of *Jus gentium*; or if there be, (*a*) it will be the ſame, (as we ſaid before) as *Recta Ratio*, and ſo not differ from the Law of Nature.

2. The Reaſon of that Law is not aboliſhed, but our Dependency upon it.

To my Underſtanding, the Civil or Imperial Law, having had once the largeſt Extent, and being not abandon'd now, in the Reaſon, and Eſſence, and Nature thereof, but only leſt the Accepting of it ſhould teſtifie ſome Dependency upon the Empire, we owe the firſt Place in this Conſideration to that Law.

3. Why this is called Civil Law.

This therefore which we call the Civil Law, (for, though properly the Municipal Law of every Nation be her Civil Law, yet *Rome*'s

(a) *Dig. l.* 1. *T.* 1. *le.* 9. *omnes.*

Rome's Emperors eſteeming the whole World to be one City, as her Biſhops do eſteem it one Dioceſs, the *Roman* Law hath won the Name of Civil Law, being a (*b*) Decoction and Compoſition of all the Regal Laws, Decrees of the Senate, *Plebeſcites*, *Reſponſa Prudentum*, and Edicts of Emperors, from 1400 Years before *Juſtinian*, to ſo long Time after, as the Eaſtern Emperors made them authentick; being of ſuch Largeneſs, as (*c*) *Juſtinian*'s Part thereof conſiſts of 150000 of thoſe Diſtinctions which he calls Verſes, and is the Sum and Marrow of many Millions, extracted from 2000 Volumes.

4. Of the vaſtneſs of the Books fromwhence it is concocted, and of the extent thereof.

This Law which is ſo abundant, that (*d*) almoſt all the Points controverted between the *Roman* and the Reformed Churches, may be decided and appointed by it. This Law, I ſay, which both by Penalties, and Anathema's, hath wrought upon Bodies, Fortunes, and Conſciences, hath pronounced nothing againſt this *Self-homicide*, which we have now in Diſputation.

5. Nothing in this Law againſt our Caſe.

It is true, that of *Adrian* the Emperor, who was about 120 Years after Chriſt, we find one Reſcript, in the Body of the Law, (*e*) [*That if a Soldier do attempt to kill himſelf, and not effect it, except he offered it upon Impatience of Grief, or Sickneſs, or Sorrow, or ſome other Cauſe*, capite plectatur.] Which Reſcript is repeated again in another (*f*) Title, and there (though the other general Clauſe, or ſome

6. Of the Law of *Adrian*.

(b) *Juſtinian. Ep. ad Trebonian.* (c) *Juſtinian. Epi. add D.D. de Jur. docend. arte.* (d) *Wind. Theolog. Jur.* (e) *Dig. lib.* 48. *tit.* 19. *le.* 38. *Si quis aliquid.* § *Qui miles.* (f) *Dig. l.* 49. *tit.* 19. *le.* 6. *Omne delictum.*

ſome other Cauſe, might ſeem to have reach'd far enough,) are added eſpecially for excuſing Cauſes, [*Wearineſs of Life, Madneſs or Shame.*] You ſee with what moderate Gradations this Law proceeded, which being (as it ſeems) to contend and wreſtle with a Thing cuſtomary, and naturally affected, extends not at all to puniſh it when it is done, as in many other Crimes the Laws do, by Confiſcation, and by condemning the Memory of the Delinquent, and ignobling his Race.

Nor embraces it all manners of doing it; (yea, ſcarce any, conſidering how benignly, and favourably Penal Laws are to be interpreted:) Nor overtakes it all Men, but only ſuch as being of preſent uſe, as well much diſadvantage might grow to the Army, if ſuddainly any Numbers of them ſhould be ſuffered to turn upon this natural and eaſie Way of delivering themſelves from painful Danger, as much Damage to the State, if thoſe Men matriculated for Soldiers, to whom there belong'd by the Laws, as many Privileges and Immunities under the *Roman* Emperors, as ever did to the Clergy under their *Roman* Biſhops, after they had thus maim'd themſelves, and defrauded the State of their Service, ſhould by this inherent Character of Soldierſhip, enjoy all thoſe Advantages, which thoſe Laws afforded them.

7. Of the other Law for guilty Men.

There is (*g*) one Law more in the Body of the Civil Law, which ſeems to reach farther, becauſe it binds not it ſelf to any one Condition of Men; which is, [*That if a Man already*

(g) *Dig. l.* 48. *tit.* 21. *le.* 3. *Qui rei.*

already accus'd, or taken in the Manner, for any ſuch Crime, upon which his Goods ſhould be forfeited upon Conviction, kill himſelf before Judgment, his Goods ſhall be forfeit;] elſe not. For the Law adds her Opinion of the Fact: [*Non facti celeritas eſt obnoxia, ſed Conſcientius metus:*] And proceeds, [*Qui cauſam mortis habet, habeat ſucceſſorem.*] So that that Law preſumes there are juſt Cauſes to work ſuch an Effect. And upon the Conſideration of this Civil Law, I determin'd to beſtow this firſt Diſtinction.

DISTINCTION II.

SECT. I.

THAT which they call the Canon Law, is of larger Extent than this; for it reaches to bind the Princes themſelves, at leaſt by their Acceptation and Submiſſion to it. 1. Of the Canon Law.

And as the Subject of it is greater, being People and Prince; ſo is the Object, being the next and eternal Life: Yea, it is ſo vaſt and undetermin'd, as we know not in what Books to ſeek the Limits thereof, nor by what Rules to ſet the Land-marks of her Juriſdiction. 2. The largeneſs of the Subject, and Object thereof.

For, (for the Book,) it is evident, that the Primitive Church had *Codicem Canonum*, which was inſerted into the Body of the *Roman* Law, and had no other Subſiſtance, but as it was incorporated there. Thereupon 3. Of *Codex Canonum*, or the Body of the Law, in uſe in the Primitive Church

(*a*) *Gelatius* writes to *Theodorus* the *Goth*, King of *Italy*, to intreat him, that as by his Authority the *Roman* Law was obſerved in Civil Matters, ſo it might be ſtill in Eccleſiaſtick. And after the Expulſion of the *Goths*, (*b*) *Leo* the IV. intreated and obtain'd the ſame from *Lotharius*. From this *Codex Canonum*, the Emperors determined and decreed in many Eccleſiaſtick Cauſes: From this *Codex* the Councils after were governed in making their Canons: As we may ſee particular Canons of this Book cited, the Book being often call'd for in the Councils, and being then ordinarily named, *The Body of the Canon Law*. This Body conſiſted of the Canons of Nine Councils, authorized by the Emperors.

4. Of the Additions to this *Codex*.

But for thoſe immenſe Additions grown to it ſince that time, of Bulls, and Decretal Letters of Popes, Decrees of Suſpicious, and Partial, and Schiſmatick Councils, (for nothing is more properly Schiſm, and *Solutio continui*, than a Rent between the Civil and Eccleſiaſtick State, which occaſion'd many of the latter Councils,) the Rags of Fathers decerpted and decocted by *Gratian*, and the Gloſſes of theſe made alſo as authentick as the Text. I perceive not what Title they have to be of the Body of the Canon Law, except where the Princes have incorporated and denizen'd them.

But, leſt to quarrel with their Authority now, might ſeem in us a Subter-fuge, and ſhift to decline them, as though they were heavy againſt us in this Point, which we have now in hand; we will accept them as they are

(a) *Diſt.* 10. *certum eſt.* (b) *Diſt.* 10. *veſtrum.*

are obtruded, and diſſemble nothing, which in them ſeems to reſiſt this Opinion, though in common Intendment this Law is likely to be ſevere againſt it, becauſe the Civil Laws content themſelves ever with any Excuſe or Colour in favour of the Delinquents, becauſe when a Fault is proved, it puniſhes ſeverely, but (c) the Canon Laws which puniſh only medicinally, and for the Soul's Health, are apt to preſume, or believe a Guiltineſs, upon light Evidence, becauſe thoſe Puniſhments ever work good Effects, whether juſt or no.

5. Canon Law apter to condemn than Civil, and why.

SECT. II.

And Firſt, becauſe Hereſie which is *læſa Majeſtas Divina*, of all Crimes is the principal Object of that Court, I ſay, that this Propoſition is not by any thing extant in the Canon Law, (and therefore not at all) Heretical, allowing to them their largeſt Definition of Hereſie; which is, (a) [*Any thing which is againſt Catholick Faith, that is Scriptures rightly underſtood; or the Traditions and Definitions of the Church, or general Councils lawfully gathered, or Definition of the See Apoſtolick, or the common Opinion of Fathers, in a Matter of Faith.*] The Propoſition may perchance ſeem to ſome ſo ill qualified, as it may be *male ſonans*, or *temeraria*, or perchance *ſapiens hereſis*; for all theſe proceed from the Indiſpoſition and diſtemper'd Taſte of the Apprehender, which muſt not always be idly flatter'd and pamper'd, but invited to the Search and

1. That this Propoſition is not Heretical.

2. A large Definition of Hereſie.

(c) *Paleotus de nothis*, c. 19. (a) *Sim. nha Enchirid. Jurl. tit: 24. nu.* 2.

Diſcovery of Truth, who elſe being the greateſt Prince in the World, ſhould have no Progrsſs, but be ſtraightned in a wretched Corner. Firſt therefore, (to caſt a Glance upon every Part of the Definition of Hereſie) whether it be againſt the Scriptures, rightly underſtood or no, will be more properly and naturally examined, when we come to the Laſt Part, which is of Divine Law.

3. No Definition of the Church in the Point.

Next, there is no Tradition nor Definition of the Church in the Point at all, much leſs as of a Matter of Faith, which is the ſecond Limb of the Definition.

4. Nor Canon.
5. Nor Bull.

No Decree of any general Council. No Reſcript or Bull of any Pope. And for the common Opinion of the Fathers, (beſides that it can be no ſafe Rule, becauſe (*b*) as [*Azorius* notes; *Controverters often ſay on both ſides, this is the common Opinion; and certainly that is the common Opinion in one Age, which is not in another; yea, in one Kingdom at the ſame time, which is not in another, though both be Catholick: As in* Germany *and* France, *by the common Opinion* Latreia *is not due to the Croſs, in* Spain *by the common Opinion it is*:] It cannot appear by the Canon Law, that this is the common Opinion of the Fathers; for (*c*) *Gratian*, who only of the Compilers of the Canon Law, toucheth the Point, (as far as either my Reading or Search hath ſpied out) cites but Two Fathers, *Auguſtine* and *Hierome*: Whereof the Latter is of Opinion, that there may be ſome Cauſe to do it. But in the Canon Law I find no Words, not only to lay the infamous Name of Hereſie upon it, but that affects it with

6. Of the common Opinion of Fathers, how it varies in times and places.

7. *Gratian* cites but two Fathers, one of which is of our ſide.

(b) *Moral. Inſtit. To.* 1. l. 2. c. 13. (c) 23. *Q.* 5.

with the Mark or Style of Sin, or condemns the Fact, by inflicting any Puniſhment upon the Offender.

I ſpeak here of the Canon Law, to which the Canoniſt will ſtand: Which are the Decretal Letters, and all the Extravagants. For, of *Gratian*'s *Decret.* that learned and ingenious Biſhop of *Tarracon*, hath taught us what we ſhould think, when he ſays, (*d*) [*That he is ſcarce worth ſo much Reprehenſion; who having nothing that is profitable or of uſe, except he borrows it, is admired of the Ignorant, and laughed at of the Learned,*] (*e*) [*who never ſaw the Books of the Councils, nor the Works of the Fathers, nor the Regiſters of the Pope's Letters.*] (*f*) *And whoſe Compilation had not that Confirmation from* Eugenius III. *as is falſly attributed to it.*] Yet although *Gratian* have not ſo much Authority, that by his inſerting an Imperial Law, or Fragment of a Father, it ſhould therefore be canoniz'd and grow into the Body, and Strength of the Canon Law, (for then though that Law were abrogated again by the Emperor, it ſhould ſtill be alive and bind by a ſtronger Obligation in the Canon; which (*g*) *Alb. Gentilis* proves to be againſt the common Opinion) yet by Conſent, thus much is afforded him, that Places cited by him, have as much Authority in him, as they had in the Author from whom he took them. And therefore when we come to handle the Reaſons of particular Authors, we will pretermit none whom *Gratian* hath cited, for that is their proper Place.

8. Of that part of the Canon Law, to which Canoniſts will ſtand.

9. A Cathol. Biſhop's Cenſure of *Gratian*'s Decret.

(d) *Anto. Auguſtin. l. de emendat. Gratian. l.* 1. *Dial.* 1. *de titulo.* (e) *Idem Dial.* 4. (f) *Idem Dial.* 3. (g) *De libris juris Canon.* c. 2.

SECT. III.

1. What any Councils have done in this Point.

And in this Diſtinction, where we handle the Opinion of the Canon Law in the Point, not becauſe *Gratian* cites it, but becauſe the Canons of all Councils are now uſurped as Canon Law) we will conſider (a) a Canon of the *Braccarenſe* Council cited by him.

But firſt, (although he have it not) we will not conceal the (b) *Antiſidorenſe* Council, (which was before the other, under *Gregor.* I. *Anno* 590.) For as the Civil Laws, by Limitation of Perſons and Cauſes, gave ſome Reſtraint and Correction to this natural Deſire of Dying when we would, which they did out of a Duty to ſinew and ſtrengthen, as much as they were able, the Doctrine of our bleſſed Saviour, who having determined all bloody Sacrifices; enlightens us to another Doctrine, that to endure the Miſeries and Afflictions of this Life, was wholſome, and advantagious to us; the Councils alſo perceiving that this firſt ingrafted and inborn Deſire, needed all Reſtraints, contributed their Help.

2. The Council of *Antiſid.* only refuſed their Oblations.

This (c) Canon then hath theſe Words, [*If any kill themſelves, Iſtorum oblata non recipiantur.*] For it ſeems, that Preaching and Catechizing had wreſtled, and fought with their natural Appetite, and tamed them to a Perplexity whether it might be done or no; and ſo thinking to make ſure Work, in an indiſcreet Devotion, they gave Oblations to the

(a) 23. Q. 5. *placuit.* (b) *Concil. Antiſidor. ſub. Greg.* 1. *An.* 590. (c) *Canon.* 17.

the Church, to expiate the Fault, if any were. Theſe Oblations the Council forbids to be accepted, not decreeing any thing of the Point, as of Matter of Faith, but providing againſt an inconvenient Practice.

Neither was it much obligatory, or conſiderable, what it had decreed, being only (*d*) a Dioceſan Council, of one Biſhop and his Abbots, and whoſe Canons *Binnius* preſents, becauſe (though ſome of them be out of Uſe, of which this may be one) yet they are (ſays he) ſome Diſcoverers of Antiquity. 3. This was but a Dioceſan Council.

The other Council which (*e*) *Gratian* cites, (and beſides which Two I find none) hath theſe Words, [*For thoſe that kill themſelves, there ſhall be no Commemoration at the Oblation, nor ſhall they be brought to Burial with Pſalms.*] Which intimates, as the Language of the Canon Law is, *Caninam ſepulturam*, 4. The *Bracar* Council inflicts two Puniſhments.

But the (*f*) Gloſs upon this doth evict from another Canon, that if the Perſon were not under Excommunication, it is not ſo; [*For we may communicate with him dead, with whom we may communicate living.*] Which ſhows, that his Act of Dying ſo, put him not into worſe State in this reſpect. This anſwers the Firſt Puniſhment inflicted by that Canon. And for the Second which is Denial of Chriſtian Burial, it is very rigorous to conclude a Heinouſneſs of the Fact from that, ſince the (*g*) true Canon Law denies, that to Men ſlain at Tilt, though it afford them, if they be not preſently dead, all the Sacraments 5. The firſt, not praying for them, is of them who did it when they were excommunicate.

(d) *Notæ Binnij in Conc. Amiſ. To.* 2. *fo.* 955. (e) 23. *Q.* 5. *placuit.* (f) 24. *Q.* 2. *Sane quid.* (g) *Decret. l.* 5. *tit.* 13. *de torneamentis.*

appliable in that Extreamity, as Penance, Euchariſt and Unction.

6. The ſecond, which is denial of Burial, is not always inflicted for Offences; as appears in an Interdict local.

So that, though ſince it denies Burial to Men whom they eſteem in State and Way of Salvation, the Gloſs here collects reaſonably, [*That this Puniſhment reaches not to the Dead, but only to deter the Living*;] referring to this Purpoſe an (*h*) Epiſtle of *Gregory*, ſaying, [*So much as a ſumptuous Funeral profits a wicked Man, ſo much a baſe, or none at all hurts a godly.*]

Laſtly, That (*i*) *Clementine* which reckons up many Cauſes for which Chriſtian Burial is denied, amongſt which one is a local Interdict, at what Time the holieſt Man which dies in that Place cannot be buried, which ſometimes extends to whole Kingdoms, inſtructs us ſufficiently, that one may be ſubject to that Puniſhment, (if it be any in that Law) and yet not guilty of ſuch a Crime as this is reputed to be.

7. *Romans* buried ſuch Offenders as had ſatisfied the Law within the Town, as Veſtals, and Emperors.

And (*k*) the *Romans* in their Religious Diſcipline, refuſed Solemn Burial, to any which periſhed by Lightnings, (*l*) though they buried Offenders in the Town, as they did Veſtals and Emperors; becauſe as their Dedication to God had delivered the Nuns, and Sovereignty the Emperors from Bondage of Law; ſo did Juſtice, to which they had made full Satisfaction deliver Offenders puniſhed. And ſince both St. *Hierome*, and the *Braccarenſe* Council, inflict the ſame Puniſhments upon thoſe *Catechumeni*, who although they had all other Preparations and Degrees of

(h) 13. *Q.* 2. *anim.* (i) *Li.* 3. *tit.* 7. *de Sepulchris. Eos qui.* (k) *Sylv. ad leg. Reg.* c. 11. (l) *P. Manut. de leg. Rom.*

of Maturity in the Chriſtian Faith, yet departed out of this World without Baptiſm, as they do upon *Self-murtherers*, and ſo made them equal in Puniſhment, and conſequently in Guiltineſs; I think it will ill become the Doctrines of our Times, and the *Analogy* thereof, to pronounce ſo deſparately of either of their Damnations. *Sert. Senen. lib. 6. Annot. 7. p. 311.*

And here we end our Second Diſtinction of this Second Part, which was allotted for the Examination of the Canon Law.

DISTINCTION III.

SECT. I.

OF Arguments of this Nature, which are Concluſions deduced out of Reaſon and Diſcourſe, next to theſe general Laws of the Empire, and of the Church, (which though it might ſeem for the Generality thereof, to have deſerved the firſt Place, we handled in the ſecond Room, becauſe the Power thereof hath been ever litigious and queſtionable,) I may juſtly rank the Laws of particular States. 1. Of the Laws of particular Nations.

By our Law therefore, as it hath not been long in Practice, (for (a) *Bracton* ſeems not to know ſuch a Law, when allowing an intire Chapter to that Title, he only repeats the Words in that Imperial Law, which I cited before, 2. Of our Law of *Felo de ſe.*

(a) *Brad. f.* 150.

before, and ſo admits, (if he admit that Law, that Exception, *Sine juſta Cauſa*;) He which kills himſelf is reputed *Felo de ſe*; and whether he be chargable with any Offence or no, he forfeits his Goods; which devolving to the King's Almoner, ſhould on the King's behalf be employed in pious and charitable Uſes.

3. That this is Murder in our Laws; and the Reaſons which entitle the King.

And (*b*) it is not only Homicide, but Murder: And yet the Reaſons alledged there, are but theſe; That the King hath loſt a Subject, that his Peace is broken, and that it is of evil Example.

4. Our natural Deſire to ſuch Dying, probably induced this Law.

Since therefore, to my Underſtanding, it hath no Foundation in Natural nor Imperial Law, nor receives much Strength from thoſe Reaſons, but having by Cuſtom only put on the Nature of Law, as moſt of our Law hath, I believe it was firſt induced amongſt us, becauſe we exceeded in that natural Deſire of dying ſo. For it is not a better Underſtanding of Nature, which hath reduced us from it; but the Wiſdom of Law-makers and Obſervers of Things fit for the Inſtitution and Conſervation of States.

5. As in States abouuding with Slaves, the Law-makers quenched this Deſire.

For in Ancient Commonwealths, the Numbers of Slaves were infinite, as ever both (*c*) in *Rome* and *Athens*, there were Ten Slaves for One Citizen; and (*d*) *Pliny* ſays, that in *Auguſtus*'s Time, *Iſidorus* had above 4000. And (*e*) *Vedius Pollio* ſo many, that he always fed his Fiſh in Ponds with their Blood; and ſince Servitude hath worn out, yet the Number of wretched Men exceeds the happy (for every

(b) *Plowd. Com. Hales* his Caſe. (c) *Bodin Rep. l.* 1. *c.* 2. & *l.* 6. *c.* 1. (d) *L.* 33. *c.* 10. (e) *Schaſt. Med. de Venat. Piſca. et aucup. q.* 41.

very Labourer is miſerable and beaſt-like in reſpect of the idle abounding Men :) It was therefore thought neceſſary by Laws, and by Opinion of Religion, (as (*f*) *Scævola* is alledged to have ſaid, *Expetit in Religione Civitates falli*,) to take from theſe weary and macerated Wretches, their ordinary and open Eſcape, and Eaſe, voluntary Death.

And therefore it ſeems to be ſo prohibited, as a (*g*) Lawyer ſays, Hunting and Uſury is, [*Ne ineſcarentur homines*;] and as (*h*) *Mahomet* to withdraw his Nation from Wine, brought them to a Religious Belief, that in every Grape there was a Devil. 6. Leſt it ſhould draw too faſt, as Hunting and Uſury are; and as Wine by *Mahom.*

As therefore amongſt us a natural Diſeaſe of Stealing, (for as all other, ſo this Vice may as well abound in a Nation as in a particular Man; and (*i*) *Dorotheus* relates at large, the Sickneſs of one of his Fryars, who could not abſtain from Stealing, though he had no uſe of that which he ſtole) hath drawn from a (*k*) Council holden at *London*, under *Hen.* III. a Canon which excommunicates the Harbourers of Thieves, (*Quibus abundat Regio Angliæ*; and mentions no other Fault but this, and from the Cuſtom, and Princes, and Parliaments ſevere Laws againſt Theft, then are juſtifiable by Nature, or the *Jews* Judicial Law; for our Law hangs a Man for ſtealing in extream Neceſſity,) when not only all Things to him, return to the firſt Community, but he is bound in Conſcience to ſteal, and were, in ſome Opinions, (though others ſay, he might neglect 7. And as ſevere Laws againſt Stealing.

8. When a Man is bound to ſteal.

(f) *Aug. de Civi. Dei*, l. 4. c. 27. (g) *Pruckinan. de Venat. Piſc. & Aucup.* c. 4. (h) *Pompon. de Incantat.* c. 18. (i) *B. Dorotheus doct.* 11. (k) *Binnius, To.* 3. *p.* 2. *f.* 1476. *An.* 1237.

neglect this Privilege) a *Self-murderer* if he ſtole not.

9. *Scotus's* Opinion of Day Thieves.

And (*l*) *Scotus* diſputing againſt the Laws of thoſe Nations, which admit the Death of a Thief robbing by Day, becauſe (*m*) whoever kills ſuch a Thief, is expreſly by God's Law a Murderer, ask where have you read an Exception of ſuch a Thief from the Law, *Non occides?* or, Where have you ſeen a Bull fallen from Heaven to juſtifie ſuch Executions? So it may be a natural Declination in our People to ſuch a Manner of Death, which weakned the State, might occaſion ſeverer Laws, than the common Ground of all Laws ſeems well to bear.

As therefore, as when the Emperor had made a Law, to cut off a common Abuſe of miſ-devout Men, that no Man might give any Thing to the Clergy, no not by Teſtament, St. *Hierome* ſaid, *I lament and grieve, but not that ſuch a Law is made, but that our Manners have deſerved ſuch a Law*; ſo do I in Contemplation of theſe Laws mourn, that the Infirmity and Sickneſs of our Nation ſhould need ſuch Medicines.

10. Of ſuch a Law in *Flanders.*

The like muſt be ſaid of the like Law in the Earldom of *Flanders:* If it be true, (*n*) that they allow Confiſcation of Goods, in only five Caſes, whereof this is one; and ſo it is rank'd with Treaſon, Hereſie, Sedition, and forſaking the Army againſt the *Turk*, which be ſtrong and urgent Circumſtances to reduce Men from this Deſire.

SECT.

(l) 4. *Diſt.* 15. *Q.* 3. (m) *Exod.* 22. 3. (n) *Tholoſa. Syn.* l. 36. c. 22. *nu.* 13. *ex Buteler. in ſumma rurali.*

SECT. II.

For whereſoever you find many and ſevere Laws againſt an Offence, it is not ſafe from thence to conclude an extream Enormity or Heinouſneſs in the Fault, but a Propenſneſs of that People, at that Time, to that Fault. Thereupon (*a*) *Ignatius* and many others, even intire Councils, were forced to pronounce, that whoſoever faſted upon Sundays, were Murderers of Chriſt.

1. Severe Laws are Arguments of the Peoples Inclination, not of the Heinouſneſs of the Fault.

2. Sunday-Faſt extreamly condemned thereupon.

So in *France* the Laws abound againſt Duels, to which they are headlongly apt.

3. So Duels in *France*.

So are the Reſolutions of the *Spaniſh* Caſuiſts, and the Bulls of the Popes, iterated and aggravated in that Nation, againſt their Bull-baitings, to which they are ſo enormouſly addicted, which yet of it ſelf is no Sin, as *Navar* retracting his Opinion after 70 Years, holds at laſt.

4. So Bull-baitings in *Spain*.

Navar. Manu. li. 15. *nu.* 18.

Theſe ſevere Laws therefore do no more aggravate a Fault, than mild Puniſhments diminiſh it. And no Man thinks Rape a ſmall Fault, though *Solon* puniſh it, if ſhe be a Virgin, and Freeborn, with ſo much Money as would amount to our Five Shillings: And the (*b*) *Saliqui* Law, puniſhes a Witch, which is convict to have eaten a Man, pecuniarily, and at no high Price. And therefore (*c*) *Bariolus* allows, that in Caſes of publick Profit or Detriment, the Judges may extend an odious and burdenous Law beyond the Letter, and reſtrain a favourable and beneficial Law, within

5. Gentle Laws diminiſh not the Nature of Rape, nor Witchcraft.

6. Publick Benefit is the Rule of extending or reſtraining all Laws by *Bartol.*

(a) *Epiſt. ad Philip.* (b) *Cap.* 67. (c) *H. de his qui not. infam. l.* 2. § 1. *nu.* 2.

within it, though this be againſt the Nature and common Practice of both theſe Laws.

7. If other Nations concur in like Laws, it ſhews their Inclination to be general.

If therefore our, and the *Flemiſh* Law be ſevere in puniſhing it, and that this Argument have the more Strength, becauſe more Nations concur in ſuch Laws, it may well from hence be retorted, that every where Men are inclinable to it: Which eſtabliſheth much our Opinion, conſidering that none of thoſe Laws, which preſcribe civil Reſtraints from doing it, can make it Sin; and the Act is not much deſcredited, if it be but therefore evil, becauſe it is ſo forbidden, and binds the Conſcience no farther, but under the general Precept of Obedience to the Law, or to the Forfeiture.

SECT. III.

1. The Cuſtom of the *Jews*, and the Law of the *Athenians* evict nothing.

It ſeems alſo by the Practice of the *Jews*, (for (*a*) *Joſephus* ſpeaks of it, as of a Thing in Uſe) that they did not bury ſuch as killed themſelves, till the Sun ſet. But though I know not upon what Law of theirs they grounded this, and I find not by Writers of either of their Policies ſince their Diſperſion, (for though they have no Magiſtracy, but be under the Laws of thoſe Places into which they are admitted, in all Caſes except where they be exempted by Priviledge, yet they do alſo teſtifie a particular Deteſtation of ſome Sins by outward *Penances* among themſelves; (*b*) as in Theft, they bind and whip, and enenjoyn

(a) *De bello Jud.* l. 3. c. 13. (b) *Buxdor. Syn. Judæ*, c. 34.

joyn to Publick Confeſſion; and in Adultery, the Offender ſits a Day in Winter in freezing Water, and in Summer upon an Ant-hill, or amongſt Hives of Bees naked; though, I ſay, I find not by *Galatine*, *Sigonius*, *Buxdorfius*, nor *Molther*, that this was, or is in uſe amongſt them, yet becauſe *Joſephus*, though but oratorily ſays it, we will accept it; and believe that it was upon the Reaſon common almoſt to all Nations, to deter Men from doing it, and not to puniſh it being done. And of like Uſe, that is, *In terrorem*, was alſo that Law of the *Athenians*, who cut off that Hand after Death, which perpetrated that Fact; which Law *Joſephus* remembers in the ſame Place.

Sect. IV.

1. The Reaſon drawn from Remedies againſt it, proves no more.

That Reaſon which is grounded upon the Edict of *Tarquinius Priſcus*, (*a*) who, when this Deſire of Death reigned amongſt his Men like a Contagion, cured it by an approbrious hanging up their Bodies, and expoſing them to Birds and Beaſts. And (*b*) upon that Way of reducing the Virgins of *Mileſium*, who, when they had a Wantonneſs of Dying ſo, and did it for Faſhion, were by Decree diſhonourably exhibited as a Spectacle to the People naked, prevails no farther than the Argument before, and proves only a watchful Solicitude in every State, by all means to avert Men from this natural Love of Eaſe, by which their Strength in Numbers would have been very much impaired. And thus we determine this Diſtinction.

DI-

(a) *Pliny*, l. 36. c. 13. (b) *A. Gellius*, l. 15. c. 10.

DISTINCTION IV.

1. Of Reaſons uſed by particular Men, being Divines.

WE will now deſcend to thoſe Reaſons which particular Men have uſed for the Deteſtation of this Action. And firſt we will pay our Debt to *Gratian*, in conſidering the Places cited by him, and after, the other Reaſons of Divine Authors, if they be not grounded upon Places of Scriptures, which we repoſe for the laſt Part, ſhall have their Ventilation in this Diſtinction.

SECT. I.

1. Of S. *Auguſtine* and his Argument.

The (*a*) firſt Place then, is in an Epiſtle of St. *Auguſtine* to *Donatus* the Heretick; who having been apprehended by the Catholicks, fell from his Horſe, and would have drown'd himſelf; and after complains of Violence uſed towards him, in Matter of Religion, wherein he claims the Freedom of Election, and Conſcience. St. *Auguſtine* anſwers, We have Power to endeavour to ſave thy Soul againſt thy Will, as it was lawful to us, to ſave thy Body ſo. If thou wert conſtrained to do Evil, yet thou oughteſt not to kill thy ſelf. Conſider whether in the Scriptures, thou find any of the Faithful that did ſo, when they ſuffered much from them, who would have forced them to do Things to their Souls Deſtruction.

To

(*a*) 23. *Q.* 5. *Duplicer.*

To ſpeak a little of St. *Auguſtine* in general, becauſe from him are derived almoſt all the Reaſons of others, he writing purpoſely thereof, from the 17 to the 27 Chapter of his firſt Book *De Civitate Dei*, I ſay, as the Confeſſaries of theſe Times, comparing *Navar* and *Sotus*, Two of the greateſt *Caſuiſts*, yield ſometimes that *Navar*, is the founder and learneder, but *Sotus* more uſeful and appliable to practick Divinity: So, though St. *Auguſtine* for ſharp Inſight, and concluſive Judgment, in Expoſition of Places of Scripture, which he always makes ſo liquid, and pervious, that he hath ſcarce been equalled therein, by any of all the Writers in the Church of God, except *Calvin* may have that Honour, whom (where it concerns not Points in Controverſie,) I ſee the *Jeſuits* themſelves often follow, though they dare not name him, have a high Degree and Reverence due to him, yet in practick Learning, and moral Divinity, he was of ſo nice, and refin'd, and rigorous a Conſcience, (perchance to redeem his former Licenciouſneſs, as it falls out often in ſuch Convertites, to be extreamly zealous) that for our Direction in Actions of this Life, St. *Hierome*, and ſome others, may be thought ſometimes fitter to adhere unto, than St. *Auguſtine*: yet I ſay not this, as though we needed this Medicament for this Place.

2. Of S. *Aug.* comparatively with other Fathers.

3. Compariſon of *Navar* and *Sotus*.

4. Jeſuits often beholden to *Calvin* for Expoſitions.

For I agree with St. *Auguſtine* here, That neither to avoid Occaſion of Sin, nor for any other Cauſe, wherein my ſelf am meerly or principally intereſſed, I may do this Act; which alſo ſerves juſtly for Anſwer to the ſame zealous Father in the other Place, (*b*) cited

5. In this place we differ not from St. *Auguſtine*.

6. Nor in the ſecond.

G

(b) 22. *Q.* 5. *Si non.*

cited by *Gratian*; for with him I confeſs, [*That he which kills himſelf, is ſo much the more guilty herein, as he was guiltleſs of that Fact for which he killed himſelf.*

Though, by the Way, this may not paſs ſo generally, but that it muſt admit the Exception, which the (*c*) Rule of Law upon which it is grounded, carries with it, [*Nemo ſine Culpa puniendus, niſi ſubſit Cauſa.*] And ſo, as St. *Auguſtine*, we, with as much Earneſtneſs, ſay, [*Hoc aſſerimus, hoc dicimus, hoc omnibus modis approbamus.* That neither to avoid temporal Trouble, nor to remove from others Occaſion of Sin, nor to puniſh our own paſt Sins, nor to prevent Future, nor in a Deſire of the next Life, (where theſe Conſiderations are only, or principally) it can be lawful for any Man to kill himſelf.] But neither St. *Auguſtine*, nor we deny, but that if there be Caſes, wherein the Party is diſintereſted, and only or primarily the Glory of God is reſpected and advanced, it may be lawful.

7. That then may be *Cauſa puniendi ſine culpa.*

So that, as *Valens* the Emperor, having ſurprized *Jamblicus*, when his divining Cock had deſcribed Three Letters of his Name who ſhould ſucceed, ſlew all whoſe Names were *Theodorus*, *Theodotes*, or *Theodulus*, but eſcaped *Theodoſius* who fulfilled the Prophecy, ſo St. *Auguſtine* hath condemned thoſe Cauſes which we defend not, but hath omitted thoſe wherein it is juſtifiable.

8. As *Valens* miſſed *Theodoſius*; ſo did *Auguſt.* pretermit the right Cauſe.

In which Caſe being hard to be diſcern'd and diſtinguiſhed from others ariſing from Humane Infirmity, if that Rule which (*d*) *Antonius*

9. Of *Cordubenſis* Rule, how we muſt do in Perplexities

(c) *Reg. ſur.* 6. (d) *Ant. Cordub. de ſimonia*, q. 27. *Editione. Hiſpani.*

Antonius de Corduba, gives in Cases of Simony, be as he says it is, a good Guide in all Perplexities, it will ease very much.

He says, because in the Case of Simony, many Difficulties grow, because not only by clear and common Judgments, temporal Reward may be taken for spiritual Offices, by way of Gift, Stipend, Wages Alms, Sustenation, or fulfilling the Law or Custom of that Place, but also by some Doctors, even by way of Price, and Bargain, if not directly for the spiritual Part thereof, yet for the Labour necessarily annexed to it, because every Curate cannot distinguish in these Cures, he bids him, [*Ever do it, with an Intention to do it so, as God knows it may be done, and as wise Men know and would teach that it might be done: For thus*, saith he, *humbly remitting our selves to the Learned, which are our Father's Instruction, whatever Defect be in us, yet*, Saluamur in fide Parentum.] And in this Sort (*e*) *Pindarus* making an Implicite Prayer to God, that he would give him that which he knew to be best for him, died in that very Petition.

10. How Temporal Reward may be taken for Spiritual Office

11. Of *Pindarus* Death praying for he knew not what.

Except therefore (*f*) St. *Augustine* have that Moderation in his Resolution; That a better Life never receives a Man after a Death whereof himself was guilty, we will be as bold with him, as (*g*) one who is more obliged to him than we, who repeating *Augustine*'s Opinion, That the Devil could possess no Body, except he entred into him by Sin, rejects the Opinions, and says, The holy Father speaks not, of what must of Ne-

12. In our place we depart from St. *August.* upon the same Reason as the Jesuit *Thyræus* doth.

(e) *Hesychius vitæ Philosophorum.* (f) *Ubi supra.* (g) *Thyræ. Jesui. de Dæmoniacis, c. 3. 1. nu. 428.*

ceſſity be, but what for the moſt part uſes to be.

SECT. II.

1. The place out of St. *Hierome* cited by *Gratian.*

And in our Caſe we ought (as I think, rather to follow (*a*) St. *Hierome*'s Temper, who in his Expoſition upon *Jonas*, (which I wonder why *Gratian* cited being ſo far from his End and Advantage) ſays, [In Perſecution I may not kill my ſelf, *Abſque eo, ubi caſtitas periclitatur*,] where I am ſo far from agreeing with (*b*) *Gratian*, that [*Abſque eo*, is incluſively ſpoken, aud amounts to this Phraſe, no not though;] as I think, that good learned Father, included in that Word *Caſtitas*, all Purity of Religion and Manners; for to a Man ſo rectified Death comes ever, and every Way ſeaſonably and welcome. For, [(*c*) *Qualem Mors invenit Hominem, ita Homo invenit Mortem.*]

SECT. III.

1. *Lavater* confeſſes *Hier. Chry.* and *Lactant.* to be of this Opinion.

From this Place of St. *Hierome*, I believe, and ſome other, which perchance I have not read, and ſome other Places in others, of like charitable Deſcent to this Opinion. (*a*) *Lavater* having made his Profit of all *Peter Martyr*'s Reaſons almoſt againſt this Act, and adding ſome of his own, when they both handle the Duties of *Saul*, confeſſeth that in this Caſe of preſerving Chaſtity. *Auguſtine*, *Chry-*

(a) 23. *Q.* 5. *Non eſt.* (b) *Gloſſ. in locum ſupra.* (c) *Idiotæ Contemplatio de morte.* (a) *Lavater in* 1 Sam. *Ca. ulti.*

Chryſoſtome and *Lactantius* and *Hierome* departed from their Opinion, who condemned this Act.

SECT. IV.

Peter Martyr alſo preſents one other Reaſon, of which he ſeems glad, and well contented in it, which is, That we may not haſten Death, becauſe *Mors malum* 1. Of *Pet. Martyr* Reaſon *Mors Malum.*

But it is not worthy of his Gravity, eſpecially ſo long after (*a*) *Clemens Alex.* had ſo throughly defeated that Opinion. 2. *Clement.* hath long ſince deſtroyed that Opinion.

But if it be *Malum*, it is but *Malum Pœnæ.* And that is an Evil of which God is Author, and is not that (*b*) *Malum quo mali ſumus*; neither doth it always prove the Patient to be evil, (though God for all that be always juſt,) for himſelf ſaid of the Man born blind (*c*) [*Neither he, nor his Parents have ſinned.*]

And of that *Malum pœnæ*, which is eſteemed the greateſt in this Life, of Temporal Afflictions, becauſe of the near Danger of impairing our Soul, which is to be poſſeſſed; (*d*) *Thyræus*, from St. *Hierome* and *Chryſoſtome* ſays, That it is not always inflicted for Sin, but to manifeſt the Glory of God. 4. Poſſeſſed Men are not always afflicted for Sin.

And therefore, the greateſt Evil which can be imagined, of this kind of Evil, which is (*e*) [*Damnation, hath not ſo much* Rationem mali, *as the leaſt Sin that draws Damnation.*]

(a) *Stromat. l.* 4. (b) *Aqui.* 1. *Q.* 48. *Ar.* 6. *Con.* (c) *Jo.* 9. 3. (d) *Thyræus de Damon. c.* 31. (e) *Aqui.* 1. *Q.* 48. *Ar.* 6. *Con.*

5. Damnation hath not ſo much *Rationem mali* as the leaſt Sin.

Death therefore is an Act of God's Juſtice, and when he is pleaſed to inflict it, he may chuſe his Officer, and conſtitute my ſelf as well as any other.

6. If Death were of the ſorts of Evil, yet there may be good uſe of it.

And if it were of the worſt ſort of Evil, yet as (*f*) St. *Auguſtine* ſays, That [in the Act of Marriage, there is *Bonus uſus mali*, id eſt, *Concupiſcentiæ, quo malo male utuntur Adulteri.*] And as good *Paulinus* praiſes *Severus*, that (*g*) [he having *in Conjugio peccandi licentiam*, departed not from his accuſtomed Auſterity;] ſo may the ſame be ſaid of Death in ſome Caſes, as in Martyrdom.

7. How *Paul* calls Death God's Enemy.

For, tho' *Martyr* urge farther, that Death is called (*h*) God's Enemy, and is therefore Evil; yea, (*i*) *Muſculus* ſays upon that Place, [*It is often commended in Scriptures, becauſe towards the Faithful God uſeth it to good Ends, and make it* co-operari ad ſalutem.] And by what Authority can they ſo aſſuredly pronounce, that it falls out never in our Caſes? Beſides this, Death hath loſt much of her natural Malignity already, and is not now ſo ill, as at firſt ſhe was naturally; for as (*k*) *Calvin* notes here; [*She is already ſo deſtroyed, that ſhe is not* lethalis, *but* moleſta.]

8. Death ſince Chriſt is not ſo evil as before.

Sect. V.

1. Of *Mart.* Reaſon, *Vita donum.*

One Reaſon more *Martyr* offers of his own, which is, *Vita Donum*, Life, becauſe it is the Gift of God may not be profuſed; but when we have agreed to him, that it may not be unthriftily

(f) *Aug. de bono Conjugii.* (g) *Paulin. Severo Epiſt.* 1. (h) 1 *Cor.* 15. 20. (i) *Marlorat. in hunc locum.* (k) *Calvin in hunc locum.*

thriftily and prodigally caſt away, how will he conclude from thence, ſuch an Ingratitude, as that I ſhall forſake God's Glory? And may in no Caſe *ponere animam?* How will it follow from I muſt not always, to I may never?

SECT. VI.

1. Of *Lavat.* Reaſon of Judges.

Lavater after many other, urges this Reaſon; That becauſe Judges are eſtebliſhed, therefore no Man ſhould take Dominion over himſelf.

2. Where Confeſſion is not in uſe, there is no exterior Judge of ſecret Sin.

But in the Church of *England*, where Auricular Confeſſion is not under Precept, nor much in Practice, (for that we admit not at all, or refuſe it ſo, as the *Waldenſes* did, tho' (*a*) a reverend Man ſay it, is more than I knew) who is judge of Sin againſt which no Civil Law provides, or of which there is no Evidence? May not I accuſe and condemn my ſelf to my ſelf, and inflict what Penance I will for puniſhing the paſt, and avoiding like occaſion of Sin?

3. Of the Pope's Juriſdiction over himſelf.

Upon this Reaſon depends that perplexed Caſe; Whether the Pope may not give himſelf Abſolution from Acts and Vows, and partake his own Indulgences, although by the beſt Opinion it is agreed, that to do ſo is an Act of Juriſdiction, which by *Lavater*'s Rule, no Man may exerciſe upon himſelf?

4. Of ſuch Juriſdiction in other Perſons by Civil Laws.

(*b*) The Imperial Laws forbid in a Generality any to be Judge in his own Cauſe, but all Expoſitors, except Sovereigns. And in ordinary Judges, all agree with (*c*) *Baldus*, [*That*

(a) *Humfred. Jeſui. pa.* 2. *ad Ratio.* 3. *Cam.* (b) *Cod. l.* 3. *tit.* 5. *le. Generari.* (c) *Bald. F. le.* 5. *de. Judiciis.*

in facto notorio, *if the Dignity of the Judge be concerned, he is the proper Judge of it.* And he ſays, *that it belongs to the Pretor to judge, whether ſuch a Cauſe belong to his Judgment, or no.*] (*d*) And with a *Non obſtante*, even upon natural Law, as the Words of the Privilege are, *Theodorius* allowed Biſhops to be Judges in their own Cauſe. (*e*) So [*if a Son which had not been* Sui juris *had been made Conſul, he might have emancipated himſelf, or authorized another to have adopted him.*]

5. *John* 22. elected himſelf Pope.

And beſides that, it appears that the Popes have exerciſed Juriſdiction upon themſelves, even before they were Popes; (for (*f*) *John* XXII. having Permiſſion to chuſe one Pope, choſe himſelf, which Deed *Naucler* relates and juſtifies;) by Canonical Rules it is plain, that he may exerciſe Juriſdiction upon himſelf in any Caſe, where there is not a Diſtinction of Perſons enjoyned *Jure Divino*, as in Baptiſm; which will not be ſtretched to our Caſe.

6. Juriſdiction over our ſelves is denied us, becauſe we are preſumed favourable to our ſelves; not in Caſes hurtful to our ſelves.

And certainly, the Reaſon of the Law, why none ſhould be Judge in his own Cauſe, is, becauſe every one is preſumed favourable towards himſelf. And therefore, if it be diſpenſable in ſome Caſes beneficial to a Man, much more may it be in Caſes of inflicting Puniſhment, in which none is imagined to be over-rigorous to himſelf.

And if Man were by Nature as ſlaviſh, as the (*g*) [*Eſſeni* by Profeſſion and Rule, who had Power of themſelves in nothing, but *juvando & miſerando.*] I ſee not, but when this becomes

(d) *Fileſacus de Epiſc. autorit.* c. 1. §. 17. (e) *Dig. l.* 1. *tit.* 7. *le.* 3. *ſi. Conſ.* (f) *Volu.* 2. *Genera.* 44. (g) *Heurnius de Philoſ. Barbar.*

becomes an Act of Advantage to our ſelves, we may have Juriſdiction enough to do it.

And what is more evident to prove, that in ſome Caſes derogatory and prejudicial to us, we have this Right over our ſelves, then that every Man may *cedere ſuo jure*; and, *Non uti privilegio.* 7. Even in Caſes hurtful, we have ſuch Juriſdiction.

And (*h*) it was by all condemned in *Gregory*, in the great Schiſm, that after he had promiſed to depart from the Papacy, by Oath, in which was a Clauſe, that he ſhould neither ask, give, nor accept Abſolution from that Oath, he induced his Mendicants to preach, that it were deadly Sin in him to de-relinquiſh the Church. So alſo have many Kings departed from their Government, and deſpoiled them of their Burden, at their Pleaſure. For, as (*i*) one ſays, of the whole Church, it may be ſaid of every particular Member; it was ever in Political Bondage, but not in Spiritual. 8. Gregory's Oath in the great Schiſm

So that, if there be Caſes, wherein one may aſſuredly, or probably, after juſt Diligence uſed, conclude upon an Illumination of the Spirit of God, or upon a ceaſing of the Reaſon of the Law at that time in him, that Man is then *Sui Juris*. 9. When a Man becomes to be *ſui juris*.

For, though in Caſes where there is a proper Court, I am bound to it; yet, as Kings which are both Sovereigns, may therefore juſtly decide a Cauſe by War, becauſe there can be no competent Judge between them: So in ſecret Caſes between the Spirit of God, and my Conſcience, of which there is not certainly 10. War is juſt between Sovereign Kings, becauſe they have no Judge.

(h) *Theod. a Nice. l.* 3. *c.* 3. & 23. (i) *Schiuſſelburgus Catul. Heretico, l.* 13.

tainly conſtituted any exterior Judge, we are our ſelves ſufficient to do all the Offices; and then delivered from all Bondage, and reſtored to our natural Liberty, we are in the ſame Condition as (*k*) Princes are, who, if in the Rigour of Words they may not properly be ſaid to give themſelves Privileges, have yet one general inherent Privilege, and when they will, they may declare, that in that particular Caſe, they will not take a new, but exerciſe their old Privilege.

11. Princes give not themſelves Privileg. but declare that in that Caſe they will exerciſe their inherent Privilege.

SECT. VII.

1. *Joſephus*'s Reaſon of *Depoſitum.*

And becauſe (*a*) *Joſephus* hath one Reaſon which taſtes of Divinity, we will conſider it in this place. He ſays our Soul is *particula Dei*, and depoſed and committed in truſt to us, and we may not neglect or diſharbour it before he withdraw it. But we are ſtill upon a ſafe Ground, that whenſoever I may juſtly depart with this Life, it is by a Summons from God; and it cannot then be imputed to any Corruption of my Will; for (*b*) *Velle non creaitur, qui obſequitur Imperio.* Yet I expect not ever a particular Inſpiration, or new Commiſſion, ſuch as they are forced to purchaſe for *Sampſon*, and the reſt; but that reſident and inherent Grace of God, by which he excites us to Works of Moral, or higher Vertues.

2. In theſe Caſes a Depoſitary cannot be accuſed *De culpa*, if he be *ſine Dolo.*

And ſo, when it is ſo called for again, (*c*) it were a greater Injuſtice in us to deny or with-hold any thing, of which we were *Depoſitaries*,

(k) *Accacius de privileg. juris.* l. 1. c. 7. (a) *De Bell. Jud.* l. 3. c. 13. (b) *Regula juris* 4. (c) *Ariſt. Probl.* ſ. 29. q. 2.

poſitaries, than if we were Debtors; yea, (not to depart from *Joſephus*'s Alluſion, or Metaphor of *Depoſitum*. If it were a Fault to let go that of which I were *Depoſitary*, before it were truly called for, yet in *Conſcientia errante*, I were excuſable; for it (*d*) is, [*Ex ſubſtantia depoſiti, ut depoſitarius tantum de dolo teneatur non de culpa.*] Yea, when (*e*) I have a Secret from another, *Data fide*, I have this in all reſpects, in *Natura Depoſiti*; and yet no Man doubts, but that I may in many Caſes, depart in this Secret.

3. A Secret received, *Data fide*, is in *Natura depoſiti*.

Sect. VIII.

There are many Metaphorical and Similitudinary Reaſons, ſcattered amongſt Authors, as in *Cicero* and *Macrobius*, made rather for Illuſtration, than for Argument or Anſwer; which I will not ſtand to glean amongſt them, ſince they are almoſt all bouud up in one Sheaf, in (*a*) that Oration of *Joſephus*. Or elſe will be fitly handled in thoſe Places of Scripture, which make ſome ſuch Alluſions.

1. Of Similitudinary Reaſons in Authors not Divine.

Sect. IX.

Joſephus then in that Oration hath one Reaſon drawn from the Cuſtom of an Enemy. We eſteem them Enemies, who attempt our Lives, and ſhall we be Enemies to our ſelves? But beſides that, in this Place, *Joſephus* ſpeaks to ſave his own Life, and may juſtly be thought to

1. Of his Reaſon of *Hoſtis*.

(d) *Tholoſ. Syntag.* l. 23. c. 3. N. 17. (e) *Soto de Teg. Secr. membr.* 1. q. 1. (a) *De Bello Juda.* l. 5. c. 14.

to ſpeak more *Ex Animo*, and diſpaſſioned, wherein the (*a*) Perſon of *Eleazar* he perſwades to kill themſelves, there is neither certain Truth in the Aſſertion, nor in the Conſequence. For do we eſteem God, or the Magiſtrate our Enemy, when by them Death is inflicted? And do not Martyrs, in whoſe Death God is glorified, kiſs the Executioners, and the Inſtruments of their Death? Nor is it unlawful, unnatural, or unexpedient for us, in many Caſes, to be ſo much our own Enemies, as to deny our ſelves many Things agreeable to our Senſitive Nature, and to inflict upon our ſelves many Things repugnant to it, as was abundantly ſhewed in the Firſt Part.

SECT. X.

1. Of his Reaſon of *Servus.*

In the ſame Oration he hath another alluſory Argument, [*That a Servant which runs away, is to be puniſhed by the Law, though his Maſter be ſevere; much more if we run away from ſo indulgent a Maſter, as God is to us.*] But not to give Strength or Delight to this Reaſon, by affording it a long or diligent Anſwer; we ſay, In our Caſe the Servant runs not from his Maſter, but to him, and at his Call obeys his Voice. Yet it is as truly, as devoutly ſaid, [*The Devil is overcome by reſiſting, but the World, and the Fleſh by running away.*] And the farther, the better.

Boſquier. Conc. 7.

SECT.

(a) *Lib. 7. Cap. 28.*

SECT. XI.

His laſt, which is of any Taſte, is, [*That in a Tempeſt, it were the Part of an idle and treacherous Pilot, to ſink the Ship.*] But I ſay, if in a Tempeſt we muſt caſt out the moſt precious Ware aboard, to ſave the Lives of the Paſſengers, and the Marchant who is damnified thereby, cannot impute this to any, nor remedy himſelf, how much more may I, when I am weather-beaten, and in Danger of Betraying that precious Soul which God hath embarked in me, put off this burdenous Fleſh, till his Pleaſure be that I ſhall reſume it? For this is not to ſink the Ship but to retire it to ſafe Harbour, and aſſured Anchor. And thus our Fourth Diſtinction, which was to embrace the Reaſons propoſed by particular Authors, whether Divine or Prophane, and as well Oblique and Metaphorical as Direct, ſhall here be determined. 1. Of his Reaſon of a Pilot.

DISTINCTION V.

SECTION I.

ANother Sort of Reaſons is produced from Grounds of *Moral Vertues*. Of which (*a*) St. *Thomas* propoſeth Two, which we limit for this Diſtinction; for that of St. *Auguſtine*, (*That it is againſt Fortitude, hath another* 1. Of *Aquin.* two Reaſons, from Juſtice and Charity.

(*a*) 22. *Q.* 64. *Ar.* 5.

another Room.) Firſt, then *Aquinas* ſays, It is againſt Juſtice, and againſt Charity.

2. Of ſtealing away himſelf from the State.

And the firſt in two Reſpects, both becauſe he ſteals from the Univerſe, or from that State, to which his Service is due, one Perſon and Member of the Body; and alſo, becauſe he uſurpes upon the Right of God. But the firſt of theſe may as well be ſaid of all who retiring themſelves from Functions in the Commonwealth, defraud the State of their Aſſiſtance, and attend only their own Ends, whether in this Life or the next.

3. Monaſtick retiring is, *in genere rei*, the ſame Offence.

For certainly to do even that, ſo intenſly, as we neglect our Office of Society is, *In genere rei*, the ſame Offence, as this,

4. The better Opinion, that herein is no Sin againſt Juſtice.

But as there are many which follow *Aquinas* herein; ſo *Navar* and *Sayr*, and others are upon better Reaſon of Opinion, that this can be no Sin againſt Juſtice.

5. I uſurp not upon his Servant, but am his Servant herein.

And for the ſecond Reaſon, This is not to uſurp upon God's Authority, or to deal with another's Servant; if I become his Servant, and his Delegate, and his Commiſſioner, in doing this, when he can be no other way ſo much glorified. And though the Paſſage from this Life to the next, be not generally left to our Free-will, and no Body be properly Lord of his own Life, yet, (*b*) [*Though we have not* Dominium, *we have* Uſum, *and and it is lawful for us to loſe that when we will.*]

6. Tho' we have not *Dominium*, we have *Uſum* of this Life, and we leave that when we will.

Between which negative Killing, and poſitive Killing, how little and narrow a Diſtance there is, and how contiguous they are, we ſhall ſee in another place.

If

(b) *Sayr. Theſau. Caſ. Conſc.* lib. 7. c. 3. N. 19.

If therefore the Reaſon why we may not die thus, be, becauſe we are not Lords of our own Life, but only God, then the State cannot take away our Life; for, (c) [*That is no more Lord of our Life, than we are*;] that is, ſhe cannot do it, but in Caſes where ſhe is God's Officer.

7. The State is not Lord of our Life, yet takes it away.

And if in this Caſe, there were any Injury done to the State, then certainly it were in the Power of the State, to licenſe a Man to do it, and he ſhould upon ſuch a Licence be excuſable in Conſcience. For this, in the State, were but *Cedere in re ſuo*, which any may lawfully do.

8. If Injury were herein done to the State, then by a Licence from the State, it might be lawful.

And Laſtly, If the State were injured in this, the State might lawfully recompence the Damage upon the Heir and Goods of the Deliquent; which, except in thoſe Places, where expreſs Laws allow it, cannot be done.

9. And the State might recompenſe her Damage upon the Goods, or Heir.

Yet, I think, the better Opinion, (to judge by Number of Authors) will be, That if that Perſon be of neceſſary Uſe to that State, there are in it ſome Degrees of Injuſtice; but yet no more, than if a General of much Uſe, ſhould retire in a Monaſtery. But if we may ſafely take this Reſolution, That it is not againſt Juſtice, we may eaſe our ſelves of all that Labour which muſt be ſpent upon the Third Part: for, ſince the Foundation of that will be principally the Commandment, *Thou ſhalt not kill*: If this killing be not againſt Juſtice, it is no Breach of any part of the *Decalogue*, and ſo no Sin.

10. In a Man neceſſary there may be ſome Injuſtice in this Act.

If

(c) *Sayr.* lib. 9. cap. 7. N. 2.

11. No Man can do Injury to himſelf.

If any ſhould think, that it may be an Injuſtice to our ſelves, (*d*) *Aquinas* in the ſame place clears it. And if it were poſſible, for a Man to injure himſelf, which is not, yet this Injury might be oftentimes ſuch an one, as *Cicero* ſays, his Baniſhment was, [*Non modo non propul ſanda, ſed emenda,*] conſidering how much Happineſs might recompenſe it.

12. The Quſtion, whether it be againſt Charity, reſpited to the Third Part.

And whether it be againſt Charity or no, becauſe Charity is not properly a Moral Vertue, nor of this place, becauſe many of thoſe places of Scripture, which we muſt handle in the Laſt Part, are built upon this Ground of Charity, we will not examine till we come thither, Here I will only ſay, That though it be yet under Diſputation, and queſtionable, whether this be againſt Charity, or no; this is certainly againſt Charity to pronounce ſo deſparately, as Men uſe to do, againſt them who fall into it.

Sect. II.

1. Of *Ariſtotle's* Two Reaſons. Of Miſery and Puſilanimity.

Of ſuch Reaſons derived from the Rules of Moral Vertue, *Ariſtotle* inſinuates Two: For, obſerving that this kind of Death caught Men by Two Baits, *Eaſe* and *Honour*, againſt them who would die to avoid Miſery; (*a*) He teaches *Death to be the greateſt Miſery which can fall upon us.* Which, (not to examine how it can conſiſt with the reſt of his Doctrine) was to that purpoſe, the moſt ſlippery and inſinuating Perſwaſion.

And

(d) 22. Q. 59. *Ar.* 4. *ad* 3. (a) *Ariſt. Eth.* l. 3. c. 6.

And then, that Honour and Fame might draw none, (*b*) he ſays, *It is Cowardlineſs, and Dejection, and an Argument of an unſufferable and impatient Mind.* But of the Firſt of theſe we have ſpoken before, in Anſwer to one of *Peter Martyr*'s Reaſons. And of the other we ſhall have Occaſion to ſay enough, when we come to a Place where St. *Auguſtine* ſays the ſame Thing, and ſo we may eaſe this Diſtinction of that Buſineſs.. *Infra fol.* 249.

DISTINCTION. VI.

SECT. I.

HAving thus conſidered thoſe Reaſons, which in the beſt Authors are to be found and ſhewed ſuch Rules, as ſerve for the true Underſtanding of them, and of all others which ſpring from the ſame, or like Heads, before we determine this Second Part, which is of the Law of Reaſon; it ſhall be requiſite that we alſo touch thoſe Reaſons, which on our Part are by others, and may be by us produced, by which this *Self-homicide* may be delivered either *a toto*, or *a tanto*. 1. Of Reaſons to be made on the other part.

But not to ſtop long upon that Law and Practiſe in the State of *Rome*, That any who had his Cauſes allowed in the Senate, might kill himſelf; upon which (*a*) *Quintillian* frames a Caſe, That a Son who by Mathematicians Predictions, was firſt to kill many Enemies, and 2. Of the law at *Rome*, of asking the Senate leave to kill himſelf. 3. Of the Caſe in *Quintilian.*

H

(b) *Cap.* 7. (a) *Declam.* 4.

and then his Father; having in the Wars performed the firſt Part, makes Petition to the Senate, that before he come to perform the laſt Part, he may be admitted to kill himſelf, and argues it for the Son, by many Reaſons appliable to his particular Caſe, and to our main Queſtion, I will haſten to our chief Strength.

SECT. II.

1. Compariſon of Deſertion and Deſtruction.

It may then give much Light to this Buſineſs, if we compare Deſertion and Deſtruction, and conſider where and wherein they differ. Certainly, in Almighty God, it is not the ſame Thing to forſake and to deſtroy, becauſe he owes us nothing; and ever in his Forſakings there are Degrees of Mercy, becauſe he might then juſtly deſtroy us, and may after at his good Pleaſure return again to us.

2. Of Omiſſions equal to Committings.

But between Men who are mutual Debtors, and naturally bound to one another, it is otherwiſe. For a Magiſtrate, or Miniſter that abandons his Charge, and neglects it, deſtroys it. So ſays (*a*) *Agapetus* the Deacon to *Juſtinian* the Emperor, *Privati vitium eſt patrare, principis omittere.* Yea, a private Man which hinders not a Man's Wrong, (when it belongs to him to do it) offers it. (*b*) [*Fame morientem ſi non paveris, occidiſti,*] ſaith *Ambroſe.* And (*c*) [*That Clergy-man which hinders not a Manſlaughter, if he can, is thereby irregular.*] And he which to himſelf denies

(a) *In admonitorio.* (b) *Diſt.* 86. *paſce.* (c) *Tabula Pariſ. cenſurarum.*

denies neceſſary Things, or expoſes himſelf inordinately to ſuch Dangers as Men uſe not to eſcape, kills himſelf. He that is as ſure that this Medicine will recover him, as that this Poyſon will deſtroy him, is as guilty if he forbear the Phyſick, as if he ſwallow the Poyſon. For what is this leſs, than to attend the Ruine of a Houſe, or Inundation of a Stream, or Incurſion of mad Beaſts? They which compare Omiſſions and Committings, require no more to make them equal, but that we omit ſomething which we could, and ſhould do.

SECT. III.

1. In great Sins, the firſt Step imprints a Guiltineſs, yet many Steps to Self-homicide are lawful.

Firſt, therefore in all Laws, in ſuch Faults as are greateſt, either in their own Nature, or in an Irremediableneſs when they are done; all Approaches, yea, the very firſt Step to them, hath the ſame Guiltineſs, and us under the ſame Puniſhment, as the Fault it ſelf. As in Treaſon and Hereſie, the firſt Conſent is the abſolute Fault.

And (*a*) we have an Example of a Woman burnt for Petty-Treaſon, for compaſſing the Death of her Husband, though it were not effected.

2. *Draco's* Laws againſt Homicide were retained.

Homicide is one of thoſe Crying Sins, and hath ever been reckoned *In Atrocibus.* For though the (*b*) *Athenians* removed all *Dracoe's* Laws by Diſuſe, for their extream Severity, yet they retained thoſe againſt *Homicide.*

(a) *Stanf. Plees de Coron. cap. Petie treaſon.* (b) *Elian.* l. 8. c. 10.

3. *Tolet's* Five Homicides.

And this *Homicide*, (*c*) ſays *Tolet*, may be done Five Ways, by 1. Commandment, by 2. Advice, by 3. Permiſſion, by 4. Help, or by the Fact it ſelf.

4. Four of theſe were to be found in *Adam's* firſt Homicide in Paradice.

And in the firſt and worſt *Homicide* committed in Paradice, in which were employed all the Perſons in the World, which were able to concur to Evil, when though there was but one Man, all the Millions which have been and ſhall be, were maſſacred at once, and himſelf too, as many of theſe Kinds of *Homicides* were found, as was poſſible in ſo few Perſons. For as (*d*) one notes, [*The Serpent counſelled, the Woman helped, and* Adam *prepetrated*,] (and we may ſafely and reverently ſay) God permitted. If then every one of theſe be a kind of *Homicide*, no Approach towards it can be lawful, if any be lawful, that is not *Homicide*. Let us therefore conſider how far, and in how many of theſe Ways *Self-homicide* may be allowable.

Sect. III.

1. Of *Tolet's* firſt and ſecond Way by Precept, and Advice, or Option.

Firſt therefore, though it be the common received Opinion, (*a*) [*Mandatorem, & Mandatarium eidem Pœnæ ſubjici*,] yet by the way of Precept, we cannot properly work upon our ſelves, becauſe in this Act, the ſame Party muſt be Agent, and Patient, and Inſtrument.

Nor very properly by the ſecond Way of Adviſe; yet ſo near, we may come to the Nature of it, that after Diſcourſe we may adviſedly

(*c*) *Precepto* 5. (d) *Reuchlin. de verbo Mirifico.* l. 2. c. 14.
(*a*) *Bartol. le. Non ſolum. F. de injuriis, Si mandato.*

adviſedly chuſe one Part, and refuſe the other, (for (*b*) *Cujus eſt velle, ejus eſt & nolle,*) and ſo we may wiſh to our ſelves, that which is naturally Evil, I mean, *Malum Pœnæ*; as the (*c*) *Eremite* by earneſt Prayer obtained of God, that he might be poſſeſſed of the Devil for certain Months, becauſe he found in himſelf an Inclination to Pride and Security.

2. We may wiſh *Malum pœnæ* to our ſelves, as the *Eremite* did to be poſſeſſed.

Thus certainly in ſome Caſes, we may without Sin wiſh Death; and that not only for enjoying the Sight of God, (for ſo (*d*) ſays a holy Man, *Pro Viſione Dei, millies corpus noſtrum morti dare optamus*) but even to be ſo delivered from the Encumbrances of this Life; for ſo it hath [*Rationem boni*] (*e*) as *Peter Martyr* argues; and then, [(*f*) *Nove meliorum eſt Corruptio primæ habitudinis.*]

3. We may wiſh Death for Wearineſs of this Life.

This therefore we may wiſh; and yet it is ſo far from being lawful to wiſh any thing which were evil; that [(*g*) *It is Sin to wiſh, that any thing which is naturally evil, were not ſo, that ſo we might then wiſh it, when it were diſcharged of that natural Illneſs.*]

4. It is Sin to wiſh that Evil were not ſo, that then we might wiſh it.

Death it ſelf therefore is not evil, nor is it evil to wiſh it, is it evil to further that with more actual Help, which we may lawfully wiſh to be done?

5. What we may lawfully wiſh, we may lawfully further.

Theſe Two extream Religions, which ſeem to avile ſecular Magiſtracy, and ſubject Monarchs either to an Ordinary or elſe to a Conſiſtory, accept willingly this Saying, *Curſe not the King, no not in thy Heart*; that is,

6. Of wiſhing the Princes Death.

(*b*) *Reg. Jur.* 3. (*c*) *Sulpit. in vita Martini. Dial.* 1. (*d*) *Martialis ad Tholoſanos.* (*e*) *Coment. in Sam.* l. 1. *c. ult.* (*f*) *Heptap. Pici. l.* 7. *Proem.* (*g*) *Adrian. quod lib.* 10. *Ar.* 2.

wiſh not Ill to him. Nor have I obſerved that the Authors of either Diſtemper have in their Books allowed, that the Subject might wiſh the Death of the Prince, but in the ſame Caſes, where he might contribute his actual Help. For both Papiſts and Puritans teaching that a lawful King may become a Tyrant, (which to my Underſtanding cannot conſiſt with the Form and Right of an inheritable Monarchy.) Yet (*h*) one who pretends to go the middle Way (and that is truly in this Caſe, *Via Regia*, ſays, [*That as well we, as the* Romaniſts *eſteem a King of another Religion a Tyrant.*] And [*That it is impoſſible to make ſuch a King, but he muſt be a Tyrant, in the Opinion of one Side.*]

7. In ſome Opinions, falſe Religion makes a Tyrant.

And for his own Opinion delivers, [(*i*) *That no Man can be bound by Oath of Fidelity to the Pope, upon this Reaſon, becauſe he is not indeed* Vicarius Dei, *as he preſumed him, and ſwore him to be.*]

8. Why an Oath of Fidelity to the Pope binds no Man.

And conformably to this, (*k*) that Book whoſe Title and Scope is of the Foundation of Matter of State in *France*, and (as it pretends in all *Chriſtendom*) when after it hath enraged Subjects againſt Tyrants, it comes to declare what a Tyrant is, exemplifies in the King of *Spain*, and upon ſuch Reaſons, as any Malignity equal to that Author, may caſt upon what Prince it will.

9. Who is a Tyrant in theſe Mens Opinions.

And laſtly, who ever ſhall well compare (*l*) *Beccariae*'s Book with *Bezae*'s, (if that other be *Bezae*'s) though they differ diametrally

(h) *Saxavia de Imp. Author. Epiſtola.* (i) *Lib.* 2. *C.*36. (k) *Declaration & Proteſtation des Docteſ de* France, *An.* 1605. (l) *Beccar. cont. lib. De. jure Magiſtrat.*

trally in many Things, yet by their Colliſion and Beating together, ariſe abundantly Sparks of this peſtilent Doctrine, That as Tranquility was, ſo now Religion is, the Reaſon why we admit Kings, and why they are none, when they neglect Religion; upon theſe Doctrines, I ſay, it is inferred, (*m*) [*That it is lawful to wiſh the Death of a Tyrant, or of a Favourer of Hereticks, though he die in mortal Sin.*] To wiſh therefore, and to do, are naturally the ſame Fault; and yet, though it be (*n*) [*A Sin to offer my ſelf even to Martyrdom, only for Wearineſs of Life.*] (*o*) [*Or to wiſh Death ſimply for Impatiency, Anger, Shame, Poverty, or Misfortune*;] yea to wiſh Heaven meerly for mine own Happineſs; yet certainly (*p*) St. *Paul* had ſome allowable Reaſons, to *deſire to be diſſolved, and to be with Chriſt.* And (*q*) *Calvin* by telling us upon what Reaſon, and to what End he wiſhed this, inſtructs us how we may wiſh the ſame. He ſays, *Paul* deſired not Death, for Death's ſake, for that were againſt the Senſe of Nature, but he wiſhed it, to be with Chriſt.

10. How Death may be wiſhed by *Calvin.*

Now, (beſides that, by his Leave,) we deſire many Things which are againſt the Senſe of Nature, to grant that we may wiſh Death to be in Heaven, (though *Peter Martyr* before alledged, be of the ſame Perſwaſion) is a larger Scope, and ſomewhat more dangerous and ſlippery a Grant, than we urge towards, becauſe herein only the Intereſt and Good of the Party ſeem to be conſidered; and yet (*r*)

Supra.

(m) *Carbo. Caſ. Conc. Summa Summarum. Tom.* 3. l. 3. c. 9. (n) *Sylveſt. verb. Mareyr.* (o) *Navar. Manual. Ca.* 15. *Nu.* 11. (p) *Phil.* 1. 23. (q) *In* 2 Cor. 5. 1. *Marlorate.* (r) *Eman. Sâ Aphor. Confeſ. ver. Charitas.*

Emanuel Sa extends it farther. [*That we may wiſh Sickneſs to one for his Correction; and Death for the Good of the State; yea to our Enemy which is like to do us much Harm, for avoiding this our particular Damage,; and we may rejoyce at his Death, even for that Reſpect of our own Delivery.*] All which will hold as well, if we be urged with like Reaſons, to wiſh it to our ſelves.

11. How we may wiſh Death to another for our own Advantage.

To conclude therefore this Point, that it may become lawful to wiſh our own Death; I will only relate an Hiſtory, which though it be but matter of Fact (if it be ſo much) yet it is of ſuch a Perſon, as his Acts govern and perſwade, with very many, as far as Rules. (*f*) In the Life of *Philip Nerius*, who in our Age inſtituted the laſt Religion approved and eſtabliſhed in the Church of *Rome*, we read, that he being intreated (as he was ordinarily in like deſparate Caſes,) to come to one *Paulus Maximus* a Youth of 14, who was then ready to expire his Soul by Sickneſs, before he could perfect his Sacrifice, and the Office which he had begun, before the Meſſage came to him, the young Man died. When he had been dead about half an Hour, *Nerius* came, and after he had uſed ſome loud Exclamations, the Youth revived again, looked up, and talked in Secret with *Nerius* a Quarter of an Hour. The Diſcourſe ended, *Nerius* gave him his Choice, whether he would live, or die; and when the Boy wiſhed Death, he gave him Leave to die again. Now, though it were a greater Miracle, than any in that Book; if any Man ſhould believe all that are in

12. *Ph. Nerius* conſented to the Death of one who wiſhed his own Death.

(*f*) *Vita Phil. Ner. fol.* 284.

in it, (for in it are attributed to *Nerius*, ſtranger Things than the (*t*) Book of Conformities imagined in St. *Francis* (for I believe that Author purpoſed only like *Xenophon*, or *Plato*, or Sir *Thomas Moore*, to ideate and form, than to write a credable Hiſtory, tho' (*u*) *Sedulius* have defended it, with ſo much Earneſtneſs of late; yet thus much is eſtabliſhed out of this, whether Fable or Hiſtory, that their Opinion, who authorized this Book, is, that it was lawful in *Maximus* to wiſh his own Death, ſince a Man of ſo much Sanctity as *Nerius*, did approve and ſecond, and accompliſh that Opinion of his.

SECT. V.

The next Species of *Homicide* in *Tolet*'s Diviſion, is Permiſſion; which when it is toward our ſelves, is by the School-men uſually called Deſertion or Dereliction, and *Mors Negativa*.

1. Of *Tolet*'s 3 Species, by Permiſſion, which is *Mors Negativa*.

Of which I perceive not any Kind to be more obnoxious, or indefenſible than that which is ſo common with our Delinquents, to ſtand mute at the Bar. And though Civil Laws which are often enforced to chuſe of Two Evils, the leaſt, that is to ſay, the leaſt hurtful to Civility and Society, and muſt admit ſometimes particular Miſchief, rather than a general Inconvenience, may excuſe this; yet, ſince out of the Law of Conſcience, which can in no Caſe come to be ſo entangled and perplexed, that it can be forced to chuſe any

2. Of ſtanding mute at the Bar.

(t) *Liber Conformi. Fran. & Chriſti.* (u) *Sedulius Minor. adverſ. Alcor. Franciſ.*

any Thing naturally evil, no Man hath as yet, to my Knowledge, impugned this Cuſtom of ours, it ſeems to me, that as well our Church as our State, juſtifies this Deſertion of our ſelves: And this, for ſo low and worldly a Reſpect, as the ſaving of our temporal Eſtate, or eſcaping the Ignominy of another Death.

3. Three Rules from *Sotus, Navar* and *Mald.* to guide us in theſe Deſertions of our ſelves.

But that we may the better diſcern the Limits, how far theſe Omiſſions and Deſertions and Expoſings of our ſelves, are allowed us; firſt I muſt interpret one (*a*) Rule, [*That Charity begins with it ſelf, to be underſtood only in Spiritual Things.*] For I may not do a Sin, to ſave (in the Language of School-men) the Goods, or Honour, or Life of the Pope; but for Temporal Things I muſt prefer others before my ſelf, if a publick Profit recompence my private Damage. (*b*) I muſt alſo lay down another Rule, [*That as for my ſelf, ſo for my Neighbour whom I am bound to love as my ſelf,*] I may expoſe Goods to ſafeguard Honour, and Honour for Life, and Life for Spiritual Profit. And to theſe I muſt joyn a Third Rule, (*c*) [*That no Man is at any time enforced to exerciſe his Previledge.*] [*For the written Law every Man is bound to know, but (d) Priviledges and Exemptions from that Law, he may be excuſably ignorant of, and in ſuch Ignorance tranſgreſs them.*] Hereupon it is ſafely inferr'd, that though every Man have naturally this Priviledge, to reſiſt Force with Force, and be authorized by that, to lay violent Hands, even upon the Pope's Life, as (*e*) *Gerſon*

(a) *Soto. de teg. ſaret. membr.* 1. *q.* 3. (b) *Nava. Manual.* (c) *Sum. Maldo. q.* 14. *ar.* 6. (d) *Acacius de privilegiis*, l. 1. c. 9. (e) *Gerſon.*

ſon exemplifies, or upon the Emperor's, as (*f*) *Acacius*, when either of them exceeds the Limits of their Magiſtracy, (for then the Party becomes the Deputy, and Lieutenant to Nature, which is a common and equal Sovereign to them all.)

Yet I may wave this Benefit, if I will, and even by a Thief, I may ſuffer my ſelf to be killed, rather than kill him in that mortal Sin. (*g*) Which our Country-man *Sayr*, holds as the common Opinion from *Sotus*, *Navar*, *Cajetan*, and many others. And none that I have ſeen excepts to it, in any other Perſon than a Soldier, or ſuch as hath the Lives and Dignities of others ſo inwrapped in theirs, as they cannot give away themſelves, but by betraying others. And this Deſertion ſeems to be of Natural Reaſon, becauſe it is to be found in all Laws; for even in the (*h*) *Alcorum* we read [*Vindicans non eſt reus, Patiens tamen optime facit.*] 4. I may ſuffer a Thief to kill me.

And our Law, which if a Man kill another in his own neceſſary Defence, puniſhes him with Loſs of Goods, and delivers him from Death, not by Acquital, but by way of Pardon, ſeems to me, to pronounce plainly, that it is not lawful to defend my Life by killing another; which is farther, than any of the others went. And when I compare our Two Laws, That if I defend my ſelf I am puniſhed, and the other before-mentioned, That if I kill my ſelf I am puniſhed in the ſame Manner, and Meaſure, they ſeem to me to be ſomewhat perplexed and captious. 5. Of *ſe defendendo* in our Law.

And

(f) *Acacius de privileg.* l. 1. c. 8. (g) *Sayr Theſaur. Caſ. Conſ.* l. 7. c. 9. n. 17. (h) *Alcor. Azoar.* 52.

6. I am not bound to eſcape from Priſon if I can, nor to eat rather than ſtarve.

And as I may depart from my natural Priviledge of Defending my ſelf, ſo I may obtain from any extrinſick or acceſſory Help, which is caſually, or by Providence (if God reveal not his Will therein) preſented unto me, (*i*) [*For a Man condemned to Death, is not bound in Conſcience to redeem his Life with Money, though by the Law of the Place he might do it.* And though (*k*) St. *Thomas* ſay, [*That he which is condemned to die, kills himſelf, if he apprehend not an Opportunity to eſcape by Flight when it is preſented, and likewiſe if he refuſe Meat when he is condemned to be famiſhed,*] yet the (*l*) whole Stream is againſt him, *Sotus*, *Navar*, *Cajetan* and *Sayr*. And *Navar* adds, that in theſe Days (and yet now it is not ſo likely to be *Symbolum Idolotricæ pravitatis*) a Man is bound rather to famiſh, than to eat Meat offered to Idols.

7. For Ends better than this Life, we may neglect this.

And therefore they ſay, that *Aquinas* his Opinion, That a Man is bound to uſe his Privilege for Safeguard of his Life, is only true then, when he doth not wave it, for ſome End better and worthier than our natural Life; of which Sort all Spiritual Advantages are. So that in ſuch Caſes they all agree, we may abandon and forſake our ſelves.

8. I may give my Life for another.

And we may ſtep farther yet in this Deſertion; for we may offer our ſelves for the Good of our Neighbour. For the temporal Life cannot be more precious than our Soul; which, in Rigour is murdered by every Sin conſented unto. Yet (*m*) *Chryſoſtome* ſays, [*No*

(i) *Eman. Sa. Aphor. Confeſ. Charitas.* (k) *Aquin.* 22. q. 69. ar. 4. ad 2. (l) *Sayr Theſau. Caſ. Conſ.* l. 7. c. 9. (m) *Chriſ. Hom.* 32. *in Genes.*

[*No Praiſe is enough to give* Sarah *for conſenting to Lye, and to ſubmit herſelf to Adultery for Salvation of her Husband's Life.*] I know (*n*) St. *Auguſtine* is earneſt againſt this.

But his Earneſtneſs is upon the Matter of Fact, for he denies that either *Abraham* or *Sarah* conſented to any Sin: But when he (*o*) deſputes *De Jure*, whether *Sarah* by *Abraham*'s Conſent might expoſe her ſelf, to ſave his Life, and is much troubled with the Example of one which was Priſoner for Debt to the State, under *Acindinus* a Præfect, under *Conſtantius*, whoſe Wife being ſolicited by a rich Man, who would give ſo much as would diſcharge her Husband, to poſſeſs her one Night, by her Husband's Conſent, earned his Liberty in that Manner; at laſt he leaves it indifferent for any Man to think it lawful or unlawful in ſuch a Neceſſity, though indeed his own Opinion decline from it. (*p*) *Bonaventure* denies, that for the Temporal Good of another, I may offer willingly my Life. But he grounds it upon the ſame Reaſon that (*q*) *Auguſtine* doth; that we may not love another more than our ſelves, which in this Caſe we ſeem to do.

9. *Chryſoſtome*'s Opinion of *Sarah*'s Lye, and Adultery. And St. *Auguſt.* of that Wife who proſtituted her ſelf to pay her Huſband'sDebt.

10. That to give my Life for another, is not to prefer another, as *Bonaventure*, and *Auguſt.* ſay, but to prefer Vertue before Life.

But many of the Fathers, *Hierome*, *Ambroſe* and *Lactantius*, and many of the School, as *Aquinas*, *Fra. Victoria*, *Sotus*, *Bannes*, and infinite are againſt him: And anſwer St. *Auguſtine* thus; That in that Caſe, a Man doth not prefer his Friend before himſelf, but he prefers an Act of Vertue, and of Friendſhip, as Things

(n) *Aug. l.* 22. *adver. faufium.* c. 33. (o) *Ca.* 27. *& primo. De ſerm. Dom. in monte.* (p) *Bonavent.* 3. *Diſt.* 29. *q.* 3. (q) *Aug. de Mendacio.* c. 6.

Things of more Spiritual Nature, before his own Temporal Life.

11. For ſpiritual Good is without queſtion.

But that for the Spiritual Good of another, a Man ſhould expoſe his own Life, is an unreſiſted Doctrine, and as (*r*) *Sayr* ſays, [It is *Sub Præcepto*,] ſo (*ſ*) a Curate is bound to baptize, and to anoint in the Plague Time. Yea, it is an Act of Vertue, though not of Neceſſity, (as in the Curate's Caſe) (*t*) [*To viſit a ſick Man, in ſuch a Time, though you be a private Man, and your End be not Spiritual Comfort.*

12. I may give another that without which I cannot live.

And we may yet proceed farther, for we may lawfully diſpoſſeſs our ſelves of that, which was before afforded us, and without which we can have no Hope to ſuſtain our Lives. (*u*) As in a Perſecution, a private Man having Food left ſufficient only to ſuſtain one Man, may give it to a publick Perſon, and ſo periſh. And only *Sotus* denies, that in a Shipwrack, if after we have both been in equal Danger, I catch and poſſeſs my ſelf of any thing to ſuſtain me, I may give this to my Father, or to a Magiſtrate: Againſt the Strength of *Navar*, *Tolet*, *Fra. Victor.* and many others.

Sotus.

13. I may over-faſt my ſelf.

The fartheſt, and uttermoſt Degree of this Deſertion, is inordinate and indiſcreet voluntary Faſting, of which St. *Hierome*, (as it is (*x*) related into the Canons) ſays, [*That by ſuch an immoderate Innocence, and indiſcreet ſinging of Pſalms and Offices, a Man loſeth his Dignity, and incurs the Note of Madneſs,*] and upon

(r) *Sayr Theſau. Caſ. Conſ.* l. 7. c. 9. n. 17. (ſ) *Eman. Sa. Aphor. Con. verbo Charit.* (t) *Idem verbo Ho.* (u) *Aquin.* 22. q. 32. *ar.* 6. (x) *De Conſecr. Diſt.* 5. *Non Mediocriter.*

upon this Place (y) *Navar* ſays, That St. *Hierome* pronounceth, an [*Indiſcreet Faſting which ſhortens the Life, if the Party perceive that it work that Effect, though it be without Intention to ſhorten his Life, and that he do it, to be the better able to ſatisfie God, yet it is a Self-homicide.*] And (z) he adds in another Place, ſpeaking of the ſame Purpoſe, [*It makes no difference whether thou be long in killing thy ſelf, or do it at once.*]

14. This in St. *Hierom's* Opinion is Self-homicide.

And (a) ſo *Caſſianus* ſays expreſly, [*That that Friar killed himſelf, which having vowed in his Journey, to eat nothing except God gave him Meat immediately, refuſed to eat, when Thieves accuſtomed to kill Paſſengers by that Place, came and preſented him Bread.*] And yet, though he ſays he killed himſelf, he imputes nothing to him but Indiſcretion. And therefore ſaith (b) one, [*Our Saviour Chriſt exceeded not* 40 *Days in his Faſt*, Ne ſui Homicida videretur.] And he interprets that Word, (c) *Eſuriit*, [*That then he perceived his Body to languiſh and ſuffer Detriment by Faſting.*] For, if he had not hungred till then, his Faſting had no Vertue. So that he gave over, when he found the State of his Body impaired by Faſting, yet purſuing and imitating the Superſtition of the Philoſophers, who taught that (d) [*Dum Corpus augemus, mortaliores efficimur,*] And that (e) [*Per tenuitatem aſſimilamur Deo,*] how much the Writers in the *Roman* Church ſuffer, and oblickly adhort theſe inordinate Faſts, and other Diſciplines, appears by that which

15. Of the Friar whom *Caſſianus* calls a *Self-homicide* for refuſing Bread from a Thief, upon a Vow. Of Chriſt's Faſt.

16. Of Philoſophers inordinate Faſts.

I

(y) *Navar ex Diſt.* 5. *de Conſ.* (z) *Soto de teg. ſecret. mem.* 1. *q.* 3. *ex Hieron.* (a) *Caſ. Collatione* 2. *c.* 6. (b) *Boſquier Cove.* 17. (c) *Idem Cove.* 18. (d) *Porphir. de Abſtin. Anti.* (e) *Idem de occaſionibus.*

Supra. I cited out of *Clarus Bonarſcius* before, and whereſoever they have Occaſion to ſpeak thereof.

17. Of the Devil's threatning St. *Francis* for faſting. And in no one Thing more, than that they inculcate ſo often, [*That it was the Practiſe of the Devil, to appear to St.* Francis, *and cry out to him, that no Man which kills himſelf with ſuch Maceration, could be ſaved,*] which (*f*) *Bonaventure* relates in his Life.

18 Examples of long Faſts. Whatſoever hath been done by others, they teach, we ought to exceed. And ſince, (*g*) [*The Monks in Preſter* John *his Dominions, faſt ſtrictly Fifty Days, and ſtand all that Time to the Chin in Water.*] Since they find in (*h*) *Abbas Urſperg*, a Maid that faſted Two Year and a Half after ſhe had received the Body of our bleſſed Saviour.

19. Reaſons, Effects, and Obligations to rigorous Faſts. And an *Eremite* 22 Years, without receiving any Thing, they ſay no Faſt can be too ſevere, which is undertaken to reduce our Body to a Tameneſs. Yea, (*i*) [*Though that be already perfectly effected, yet a Man is bound to the Faſts injoined.*] For (*k*) [*Faſting, without Charity, doth waſh away Sin.*] But this Rigor of Faſting, they ſeem ſure, that our Saviour watched all thoſe 40 Days; becauſe (*l*) [*Qui dormit, prandet.*] And as it is not likely that *Moſes* ſlept in his 40 Days Converſation with God, ſo is it unlikely that Chriſt did leſs than he. And ſo St. *Francis* is extolled by them, for obſerving Three Lents every Year, which (*m*) St. *Hierome* ſo much deteſts

(f) *Cap. de Auſteritate.* (g) *Middendor. de Academiis fol.* 298. (h) *Lilius Gyr. Dialog.* 17. (i) *Sayr Theſaur. Caſ. Conſ.* l. 3. c. 1. n. 13. (k) *Azor. Mor. Inſt.* p. 1. l. 7. c. 33. (l) *Boſqui. Co.* 14. (m) *Hier. Epiſt. ad Marcell.*

deteſts in the *Montaniſts*. And though their Ends were divers, yet this ſhews, that to ſome Ends, theſe enormous Witherings of our Bodies are allowable. Upon which Reaſon (*n*) *John Baptiſt*'s Auſterity is ſo much dignified: And (*o*) St. *Peter*'s Feeding upon Lupins: And (*p*) St. *Matthew*'s Living without Fleſh. And not only the Emperor *Juſtinian*'s Choice, (*q*) [*Who in an extream Sickneſs in* Lent, *would take nothing but Herbs, and Salt, and Water,*] but alſo the (*r*) *Carthuſian* Rule, by which though it appear that Fleſh would ſave the Patient's Life, he may not eat it. And by the (*ſ*) Apoſtolical Conſtitutions, (which *Turrianus* extols ſo much, that by them he confutes much of the Reformed Church's Doctrine) [*A Man muſt faſt to Death, rather than receive any Meat, from an Excommunicate Perſon.*] And in another Chapter, (*t*) [*If any Thing be in a Caſe of extream Neceſſity accepted from ſuch a Perſon, it may be beſtowed in full, that ſo their Alms may be burnt, and conſumed to Aſhes, but not in Meat, to nouriſh our ſelves withal.*]

So, to determine this Section of *Deſertion*, ſince we may wave our Defence which Law gives, by putting our ſelves upon a Jury; and which Nature gives, to repel Force with Force, ſince I may without flying, or eating when I have Means, attend an Executioner, or Famine, ſince I may offer my Life, even for anothers Temporal Good, ſince I muſt

20. Corollary of this Section of Deſertion.

I do

(n) *Mat.* 3. 4. (o) *Greg. Naz. Oratio, de Cura pauperum.* (p) *Clem. Alex. l.* 2. *Pædag. c.* 1. (q) *Procop. Gaz. l.* 1. *de ædificiis Juſtiniani.* (r) *Sayr. Ibeſau. Caſ. Conſc.* l. 7. c. 9. n. 30. (ſ) *Clem. Apoſtol. Conſtit.* l. 4. c. 7. (t) *Ibid.* Cap. 9.

do it for his Spiritual, ſince I may give another my Board in a Shipwrack, and ſo drown, ſince I may haſten my Arrival to Heaven, by conſuming Penances, it is a wayward and unnoble Stubbornneſs in Argument, to ſay ſtill, I muſt not kill my ſelf, but I may let my ſelf die; ſince of Affirmations and Denials, of Omiſſions and Committings, of Enjoining and Prohibitory Commands, ever the one implies and enwraps the other. And if the Matter ſhall be reſolved and governed only by an outward Act, and ever by that; if I forbear to ſwim in a River and ſo periſh, becauſe there is no Act, I ſhall not be guilty, and I ſhall be guilty if I diſcharge a Piſtol upon my ſelf, which I knew not to be charged, nor intended Harm, becauſe there is an Act.

Of which latter Opinion (*u*) *Mariana* the *Jeſuit* ſeems to be, as we ſhall have Occaſion to note, in the next Member and Species of *Homicide*, which is, *Aſſiſtance*.

Sect. VI.

1. Of another degree of *Homicide*, by Mutilation, which is not in *Tolet*'s Diviſion.

But before we come to that, we muſt, though it be not, nor naturally could be delivered in *Tolet*'s Diviſion; conſider another Species of *Homicide*, which is, *Mutilation* or *Maiming*.

For, though in Civil Courts, it be not ſubject to like Penalty, yet if it be accompanied with the ſame Malignity, it is in Conſcience the ſame Sin, eſpecially towards our ſelves; becauſe it violates the ſame Reaſon, which

(u) *Mariana de Rege*, lib. 1. cap. 7.

which is, that none may uſurp upon the Body over which he hath no Dominion.

Upon which Reaſon, it is alſo unlawful for us to deliver our ſelves into Bondage; (which I mention here, becauſe it ariſeth from the ſame Ground, and I am loth to afford it a particular Section. Yet (*a*) holy *Paulinus*, a Confeſſor and Biſhop of *Nola*, than whom I find no Man celebrated with more Fame of Sanctity and Integrity, to redeem a Widow's Son, delivered himſelf as a Slave to the *Vandals*, and was exported from *Italy* to *Africk*; and this, as I think, when he was neceſſary to that Place, being then there Biſhop; for that was but Five Years before his Death. 2. Of delivering ones ſelf into Bondage.

But to return to Mutilation, (*b*) it is clear by the Canons, that towards Irregularity, it works as much, and amounts as far, to have maimed, as to have killed.

And (*c*) in a Council at *London*, *Anno* 1075 one Canon forbids a Clergy-Man, to be preſent at Judgment of Death, or of Mutilation. And amongſt the (*d*) Apoſtles Canons this is one, [*He that gelds himſelf cannot be a Clerk, becauſe he is an* Homicide *of himſelf, and an Enemy to God's Creature.* [(*e*) *And to geld, is to maim in our Law.*] 3. By divers Canons it is all one fault.

So in the next Canon it is ſaid, [(*f*) *A Clerk which gelds himſelf muſt be depoſed*, Quia Homicida ſui.] (*g*) *And a Layman muſt for that Fault be excommunicated Three Years*, Quia Vitæ ſuæ poſuit inſidias.] It was therefore eſteemed equivalent to killing.

(a) *Baron. Martirol*, Junii 2. (b) *Tabula Pariſ. irregularit.* (c) *Binius*, *To.* 2. *p.* 2. *fo.* 1280. (d) *Can. Apoſt. Can.* 21. (e) *Stanf. Plees del Coron.* (f) *Canon* 23. (g) *Canon.* 23.

4. Of *Calvin's* Argument againſt Divorce, upon the Ground of Mutilation.

And (*h*) *Calvin*, eſteemed it ſo heinous, that he builds his Argument againſt Divorce upon this Ground, [*God made them one Body, and it is in no Caſe lawful, for a Man to tear his own Body.*] But if this be ſo lawful as Divorces are lawful, certainly this peremptory Sentence againſt it, muſt admit ſome Modification.

5. The Example of St. *Mark* to eſcape Prieſthood.

Without doubt, beſides the Examples of holy Men who have done it, to diſable themſelves from taking the Burden of Prieſthood, of which (*i*) St. *Mark* the Evangeliſt was one, who to that End cut off his Thomb. And beſides, that as our Saviour ſaid, (*k*) [*Many ſhould geld themſelves for the Kingdom of Heaven.*] So (*l*) *Athenagoras*, Fifty Years after Chriſt, ſays, [*That many did practiſe it.*] It is doubted by none, [*But* (*m*) *that a Man unjuſtly detained to a certain Execution, may cut off that Limb by which he is tied, if he have no other Way to eſcape; or being encompaſſed with Dogs, he may cut off a Hand, and caſt it to them, to entertain them while he eſcape.*

6. In what Caſes it is clear that a Man may maim himſelf.

Sect. VII.

1. Of *Tolet's* FourthWay, by actual Helping.

The laſt Species of *Homicide*, on this Side; the laſt Act, is an actual Helping and Concurrence to it. And every Step and Degree conducing purpoſely to that End, is as juſtly by Judges of Conſciences, called *Homicide*, as (*a*) *Ardoinus* reckoning up all Poyſons, which have a natural Malignity and Affection to deſtroy

Ardoinus reckons a flea amongſt Poyſon, becauſe it would kill.

(h) *Calv. in Mat.* 19. 4. *Marlorate.* (i) *Hier. Prolog. in Marcum.* (k) *Mat.* 19. 12. (l) *Orat. vero Anto. & commodo Philoſophis.* (m) *Sayr. Theſ. Caſ. Conſ.* l. 7. c. 9. (a) *Ardoinus de veneniis.* l. 8. c. 20.

ſtroy Man's Body, forbears not a Flea, though it never kill, becauſe it endeavours it, and doth all the Hurt it can; and he is diligent in aſſigning Preſervatives and Reſtoratives againſt it.

And (*b*) ſo to that *Amalekite*, which told *David* he helped *Saul* to die, when he found him too weak to pierce himſelf, *David* pronounced Judgment of Death; for (ſaith he) Thine own Mouth hath confeſſed, *That thou haſt kill'd the Lord's Anointed.* 2. *David* condemned the *Amalekite*, who ſaid, he helped *Saul* to die.

Certainly, (*c*) *Mariana* the *Jeſuit*, (whom I named before) eſteems this actual Concurrence to ones Death, as heavy as the Act it ſelf; yea, as it ſeems, though the Party be ignorant thereof. For, after he concluded how an Heretical King may be poyſoned, he is diligent in this Perſcription, [*That the King be not conſtrained to take the Poyſon himſelf, but that ſome other may adminiſter it to him: And that therefore it be prepared and conveyed in ſome other way than Meat or Drink, becauſe elſe,* ſaith he, *either willingly or ignorantly he ſhall kill himſelf.*] So that he provides, that that King who muſt die under the Sins of Tyranny and Hereſie, muſt yet be defended from concurring to his own Death, though ignorantly, as though this were a greater Sin. 3. *Mariana*'s Opinion, that a King drinking Poyſon, prepared and miniſtred by another, he being ignorant, is a *Self-homicide.*

Since therefore this haſtening of our Death by ſuch an Act, is the ſame, as the intire *Self-homicide*, let us conſider how far irreproved Cuſtom and Example and Law doth either allow or command it. 4. A Malefactor unaccuſed, may accuſe himſelf.

For that it is allowable, it ſeems to me ſome Proof, [(*d*) *That before any Man accuſes him,*

(b) 2 *Sam.* 1. 16. (c) *Mariana de Rege.* l. 1. c. 7.
(d) *Scotus de reg. Secret. Memb.* 1. *q.* 3.

a Malefactor may go and declare his Fault to the Judge.]

5. Of *Sanſovinus* Relation of our Cuſtoms at Executions, and withdrawing the Pillow in deſperate Caſes.

Though amongſt *Italian* Relations, (*e*) that in *Sanſovine* concerning *England* have many Marks and Impreſſions of Malice, yet of that Cuſtom, which he falſly ſays to be obſerved here, [*That Men condemned to be hanged are ever accompanied to their Executions by all their Kindred, who then hang at their Feet, to haſten their End: And that when a Patient is abandoned by the Phyſicians, his neareſt Kinſman ſtrangles him with a Pillow.*] Of this, I ſay, that Author had thus much Ground, that ordinarily at Executions, Men out of a Charity, as they think, do ſo; and Women which are deſparate of ſick Perſons Recovery, uſe to take the Pillow from under them, and ſo give them Leave to die ſooner. Have they any more the Dominion over theſe Bodies, than the Perſon himſelf? Or if a Man were able to do theſe Offices to himſelf, might he not do it? Or might he not with a ſafe Conſcience put ſo much Weights in his Pockets, as ſhould countervail their Stretchings? I ſpeak but comparatively; might not he do it as well as they?

6. Of breaking Legs of Men at Executions: And of breaking the Halter.

For to my underſtanding ſuch an Act, either in Executioner or By-ſtander, is no way juſtifiable; for it is both an Injury to the Party, whom a ſudden Pardon might redeem; and to the Juſtice, who hath appointed a painful Death to deter others. (*f*) The breaking of Legs in crucified Men, which was done to haſten Death, was not allowed but upon Petition. And the Law might be much

(*e*) *Sanſovin. de Gover.* (f) *John* 19.

much defrauded, if ſuch Violence might be uſed, where the breaking of the Halter delivered the Priſoner from Death; as in ſome Places it doth; and (*g*) good Opinions concur, that it is to do ever without doubt, whatſoever is for Eaſe, or eſcaping painful Paſſage out of this Life; in ſuch Caſes, a Man may more allowably do by his own Act, than a Stranger may. For Law of Nature inclines and excuſes him, but they are by many Laws forbidden to haſten his Death; for they are no otherwiſe intereſſed in it, than as Parts of the whole Body of the State, and ſo it concerns them, that Juſtice be executed. Yea we ſee this, and the other of withdrawing the Pillows, is ordinarily done, and eſteemed a pious Office. The *Athenian* Executions were ever by the Hand of the Offender, in Judgments of Poyſon.

7. Of the Purgations aſſigned by *Moſes* in Caſes of Jealouſie.

And in (*h*) that Law of Purgation aſſigned by God, to eaſe a Man on whom the Spirit of Jealouſie was come, the Woman was to take the Water of Curſes and Bitterneſs, which ſhould make her infamous, and her Belly ſwell, and her Thighs to rot.

8. Of Forms of Purgations called *Vulgares.*

And thoſe Forms of Purgation, which were called *Vulgares*, laſted long, even in the Church; for there is nothing extant againſt them, till (*i*) *Stephen* the Firſt, *Anno* 885.

And not only (*k*) *Charles* the Great, in whom the Church acknowledged Piety enough, induced one Form ſeverer than the reſt, which was to walk upon Nine burning

(g) *Lucas depenna, l.* 1. *c. de deſer. & occult. Johan. de Ant. Soliloq.* 5. *Optine. in D. leg. Imperium.* (h) *Num.* 5. (i) 2, *Q.* 5. *conſuluiſti.* (k) *Tholoſ. Syn.* l. 48. c. 15. n. 7.

9. *Charlemaine* brought in a new Purgation. And *Britius*, a Biſh. another being acquitted before.

Harrows. But (*l*) *Britius* a Biſhop, being but callumniated by the People extrajudicially, to have got his Laundreſs with Child, after his Innocence had prevailed ſo far with God, that the Child of Thirty Days Age, being adjured in the Name of Chriſt, had acquitted him, did not admit, but chuſe and extort a Form of Purgation, to carry burning Coals upon his Head. With us, (*m*) both the Species of *Ordalium* laſted evidently till King *John*'s Time.

10. With us both kinds of *Ordalium*, by Water and Fire laſted till K. *John*'s Time.

And tho' into that of boiling Water Men were forced to go, yet that was but for the Meaner ſort; but to carry the Three Pound Weight of red-hot Iron, which was for the Purgation of the Perſons of better Quality, was an Act, as all the former were, in which a Man muſt of neceſſity do ſome thing actually himſelf, and be the Executioner of his own Judgment; which as long as theſe Forms of Purgation, and the other by Battel were lawful, was lawful alſo to be done.

11. In all theſe, and in Battel the Party himſelf aſſiſted to his pain.

12. Three Examples of actual Helpers to their own Deſtruction in *S. Doroth.*

And in S. *Dorotheus*, who every where profeſſes a Love to that Obedience, which himſelf calls indiſcreet, you ſhall read many Praiſes given to Men, who did not only forſake them, but actually further their Deſtruction; tho' not effectually; which makes no difference if it be in Dangers, which uſually Men eſcape not. (*n*) He praiſeth one Fryar, who being by his Abbot commanded to return that Night, the Waters being riſen, committed himſelf to a raging Torrent, in ſuch an Obedience.

And

(l) *Greg. Turo. Hiſt. Fraucour.* l. 3. c. 1. (m) *Lamb. de legibus priſcis Anglorum.* (n) *B. Doroth. Doctrinâ* 1. *de Renunciatione.*

And another, who being bid by his Abbot, to go into the Town, where he doubted he ſhould fall into ſome Temptation, by ſome Spectacle, went but with this Proteſtation, *That he hoped not in the Protection of God, but in him who ſent him.* But the moſt Natural to our preſent Purpoſe is this; (*o*) That a holy Old Man ſeeing his Servant miſtake Poyſon for Honey, and put it into his Broth, eat it nevertheleſs without chiding; and when the Servant perceived it, and exclaim'd, *Sir, I have kill'd you*; anſwered, *It is all one, for if God would have had me eat Honey, he would have directed thy Hand to Honey.*

13. Of *Joſeph* of *Arimathæa* his drinking Poyſon.

Of the Holineſs of *Joſeph* of *Arimathæa*, we have Teſtimony enough; (*p*) who being ſent by the Apoſtles to preach the Goſpel, amongſt other Perſecutions, was conſtrained to drink Poyſon: In which there muſt of neceſſity be ſuch an Act as we diſpute of now.

14. Of St. *Andrew* and S. *Lawrence.*

How much did (*q*) [*St.* Andrew *contribute to his own Crucifying? How much St.* Lawrence *to his Broyling, when he called to the Tyrant; This Side is enough, turn the other, and then eat?*] (*r*) [*Magni quod faciunt, præcipiunt,*] ſays *Quintillian.* And theſe Acts of Men, otherwiſe eſteemed Holy, may ever be good Warrants and Examples to us, when the Cauſe is not prejudged by any greater Authority, as Scripture, or Councils, nor that very Act accuſed by any Author.

But to ſtay no longer upon Examples, amongſt *Caſuiſts* I obſerve the greater Number to

(o) *Idem Doct. 7. de accuſ. ſui ipſius.* (p) *Supplement. Chron. an Chr.* (q) *Navar man.* Cap. 1. Num. 28. (r) *Controv.* 3.

15. *Caſuiſts* not clear whether a condemned Man may do the laſt Act to his Death.

to deny, that it is lawful for a Man condemned, to do the laſt and immediate Act conducing to Death, as the drinking of Poyſon; but the Acts ſomewhat more removed, they agree he may do.

16. But unto Curates and Prieſts ſometimes it is *ſub præcepto*, even without Condemnation.

And even this Act of drinking Poyſon, (ſ) *Fra. a Victoria* defends to be lawful. So that amongſt them it is not clear, but that a Man may do it: Yea, in very many Caſes, it is not only lawful to do as much, without any Condemnation, but it is neceſſary, and by their Rules, ſinful to omit it. For Curates muſt go to infected Houſes, to miniſter the Sacraments. And (t) if a Prieſt enter a Wood, where Three wait to kill him, and one of them repenting, that purpoſe to meet him, and by way of Confeſſion *ſub Sigillo*, diſcover the Fault, the Prieſt is bound to go forward to a certain Death into a Wood, rather than by returning to let the others know, that he knew it by Confeſſion. So peremptory is their Doctrine, however their Practiſe be, againſt revealing Confeſſions. And tho' perchance this ſeem a wanton Caſe, framed upon impoſſible Concurrences, as (u) *Soto* eſteems of it, yet the Reaſon may have uſe; That tho' Self-preſervation be Divine Natural Law, and the Seal of Confeſſion but Divine Poſitive Law, yet becauſe Circumſtances are not alike in this, a publick Good ſhall be preferred before his private Life: So that we may do ſome Acts our ſelves, which conduceth probably, yea certainly, as far as Humane Knowledge can reach,

(ſ) *Relect. de Homicid. n.* 30. *in reſp. ad* 8. (t) *Sayr. Sum Sacrum. pœnit.* cap. 31. (u) *De reg. Sec. Memb.* 3. *Qu.* 4.

reach, to our Deſtruction; which is the neareſt Step to the laſt Act of doing it intirely our ſelves.

Sect. III.

Of which laſt Act, as we ſpoke whilſt we conſidered the Law of Nature, and muſt again when we come to underſtand thoſe Places of Scripture, which ſeem to aim towards it, ſo before we conclude this part, of the Law of Reaſon, we may fitly preſent ſuch Deductions, Compariſons, and Conſequences, as may juſtly ſeem in reaſon, to annihilate or diminiſh this Fault. Of which, becauſe moſt will be grounded, either upon the Conſcience of the Doer, or upon the Church's Opinion of the Fact when it is done, we will only conſider how far an erring Conſcience may juſtifie any Act, and then produce ſome Examples of Perſons guilty of this, and yet Canonized by the Church, by Admiſſion into the Martyrology, and aſſigning them their Feaſts, and Offices; and Vigils, and like Religious Celebrations. Therefore to make no uſe of (*a*) *Pythagoras*'s Example, who rather than he would offend his Philoſophical Conſcience, and either tread upon the Beans himſelf, or ſuffer his Scholars to ſpeak before their time, delivered up himſelf, and Forty of them to his Enemies Sword. And to avoid the Ambages and Multiform entangling of School-men; herein we will follow that which is delivered for the common Opinion; which is, (*b*) that not only a Conſcience which errs juſtly

1. Of *Tolet*'s laſt *Species* of *Homicide* which is the Act it ſelf.

2. How far an erring Conſcience may juſtifie.

3. *Pythagoras*'s Conſcience.

(a) *Diog. Laert.* l. 8. (b) *Azor. Inſt. Mor.* p. 1. l. 1. c. 8.

juſtly probably and *Bona fide*, that is, after all Moral Induſtry and Diligence hath been uſed, (yet I mean not exquiſite Diligence, but ſuch as is proportional to the Perſon, and his Quality, and to the Knowledge which that Man is bound to have of that Thing at that time) is bound to do according to that Miſ-information, and Miſ-perſwaſion ſo contracted. But alſo, if it err negligently, or otherwiſe viciouſly, and *mala fide*, as long as that Error remains and reſides in it, a Man is bound not to do againſt his Conſcience.

In the Firſt Caſe, if one in his Conſcience think that he ought to Lye, to ſave an Innocent, or that he ought to Steal to ſave a famiſhed Man, he is a *Homicide* if he lye not, or ſteal not.

And in the Second Caſe, though he be not bound to any Act, yet it is lawful to him then, to omit any thing neceſſary otherwiſe. And this Obligation which our Conſcience caſts upon us, is of ſtronger Hold, and of ſtraighter Band, than the Precept of any Superior, whether Law, or Perſon; and is ſo much *Juris naturalis*, as it cannot be infringed nor altered, *Beneficio divinæ indulgentiæ*, to uſe their own Words. Which Doctrine, as it is every-where to be gathered among the *Caſuiſts*, ſo is it well collected and amaſſed, and argued, and confirmed, eſpecially by *Azorius*. If then a Man after convenient and requiſite Diligence, deſpoiled of all Humane Affections, and Self-intereſt, and [*Sancto bonæ impatientiæ Igne exardens,*] as *Paulinus* ſpeaks; do in his Conſcience believe that he is invited by the Spirit of God to do ſuch an Act as *Jonas*, *Abraham*, and perchance *Samſon*

Epiſt. 3. Severi. l. 1.

ſon was, who can by theſe Rules condemn this to be Sin? And therefore I doubt there was ſome Haſte and Præcepitation in (c) *Caſſianus* his Judgment, though otherwiſe, a very juſt Eſteemer and Valuer of Works of Devotion and Obedience; who pronounces that that Apparition of an Angel, to *Hero* an *Eremite*, after Fifty Years ſo intenſe and earneſt Attending of God's Service, and Religious Negligence of himſelf, that he would ſcarce intermit *Eaſter* Day, from his ſtrict Faſting, and being now (d) *Victoriarum Conſcientiæ plenus*, (as the Panegyrick ſays) was an Illuſion of the Devil to make him deſtroy himſelf. Yet *Hero* being drawn out of the Well into which he had caſt himſelf, and living Three Days after, perſiſted in a devout Acknowledgment that it was the Spirit of God, which ſollicited him to that, and died in ſo conſtant an Aſſurance and Alacrity, that *Paphnutius* the Abbot, though at firſt in ſome Suſpence, did not number him *Inter Biathanatos*, which were Perſons reputed vitiouſly to have killed themſelves.

4. Of the Apparition to *Hero* an *Eremite*, by which he killed himſelf. Out of *Caſſianus*.

Nor may it be neceſſarily concluded, that this Act was therefore evil, if it appeared to be from the Devil. For (e) *Wierus*, tells us of a Maid whom the Devil perſwaded to go ſuch a Pilgrimage, and at ſuch an Altar, to hear a Maſs, for Recovery of her Health.

5. The Devil ſometimes ſollicites to Good.

Certainly, if as (f) *Vaſquez* holds, [*It be not Idolatry to worſhip the Devil in an Apparition, which I think to be God*;] it can be no Offence to believe him, after I have uſed all Means to

6. By *Vaſquez* it is not Idolatry to worſhip God in the Devil.

(c) *Caſſian. Collat.* 2. c. 5. (d) *Nazarius Conſtantio.* (e) *Wier.* l. 5. c. 1. (f) *Vaſq. de adorat.* l. 3. *diſp.* 1. c. 5.

to diſcern and diſtinguiſh: For not only thoſe Rules which are delivered ordinarily to know him by, are apparently falſe, which are a Difference in his Hands or Feet, or ſome notable Deformity by Horns, or a Tail, of which (*g*) *Binsfeldius* ſeems confident of the Firſt, and (*h*) *Menghi* of the Second. But that Rule that God always infuſeth or commands good Things, if it be underſtood of that which is good, in the common and natural Courſe is not always ſafe, for it held not in *Abraham*, nor the *Iſraelites* Caſe. Therefore though *Vaſquez* his firſt Excuſe, That ſuch a Worſhip is not Idolatry, becauſe by reaſon of our immediate Relation to God, we never arreſt nor ſtop upon the Devil by the Way, will do no good in our Caſe of Believing, yet his other Will, which he hath in the ſame Place, that there may be an invinſible Ignorance, and that in that any exterior Act whatſoever, proceeding from a ſincere and pure Intention of the Mind, is an Act of true Religion. For ſafelier than the (*i*) *Panegyrick* could ſay to *Conſtantine*, [*Sua cuique Prudentia Deus eſt*,] may we ſay of every Man's Conſcience thus rectified. If therefore they will ſtill turn in their Circle, and ſay, God concurs to no Evil, we ſay nothing is ſo evil, but that it becomes good, if God command it; and that this is not ſo naturally evil, that it requires a ſpecial Commiſſion from God; but as it becomes good, if he commands it, ſo it becomes indifferent, if he remove the Reaſons with which the Precept againſt it was conditioned.

7. Rules to diſtinguiſh the Spirits by Marks are falſe.

8. So is the Rule, That good Angels always move to good ordinarily.

9. As in Adoration, ſo in this Caſe, invincible Ignorance may excuſe.

If

(g) *Binsfeld. de confeſ. ſagarum, f.* 67. (h) *Menghi fuſtis Dæmonium*, cap. 8. (i) *Inc. Conſtan.*

If they return to St. *Auguſtine*'s Two Reaſons againſt *Donatus*, whereof the Firſt was, [*We have Authority to ſave thy Body againſt thy Will*,] and the Second, [*None of the Faithful ever did this Act*;] we are thereby haſtened to the other Conſideration, how they which have done it, have been eſteemed of by the Catholick Church. *Supra.*

But to ſpeak a little in paſſing of St. *Auguſtine*'s ſecond Reaſon, (for the firſt hath very little Force, ſince though it may be lawful to preſerve a Man willing to die, yet it is not always of Merit, nor Obligatory:) And therefore (*k*) *Ignatius* doth ſo earneſtly dehort the *Romans* from endeavouring to ſuccour him. And (*l*) *Corona Civica* which was given to any which had reſcued a Citizen in the Wars, was not given though he produced Witneſſes of the Fact, except the Perſon ſo reſcued confeſſed that he received a Benefit thereby;) why doth St. *Auguſtine* refer *Donatus* in that ſecond Reaſon, to Examples. For if *Donatus* had produced any (as out of credible and authentick Hiſtory he might very many, and out of Scriptures Canonick in (*m*) St. *Auguſtine*'s Opinion, he might have alledged the Example *Eleazer*, and of *Raſis*,) St. *Auguſtine* was ever provided for this Retreat, that it was a ſpecial Inſpiration, and not to be drawn into Conſequence or Imitation.

10. Of S. *Aug.* his firſt Reaſon to *Donatus*, that we may ſave one againſt his Will.

11. Of his Second of Examples; and of his Eſcape if *Donatus* had produced Examples.

Had it been a good Argument in *Rome* for Five Hundred Years, that Divorce was not lawful, becauſe (*n*) no Example was of it? Or

12. Divorce in *Rome*, and in *Jurie* long without Example.

(k) *Ignatius Ep. ad Romanos.* (l) *Ant. Auguſt. Epiſc. Tarrac. de leg. Roman.* c. 44. (m) *De civitate Dei*, l. 18. c. 38. & l. 2. *cont. Gaudent.* c. 25. (n) *A. Gellius*, l. 4. c. 3.

Or almoſt for Two Thouſand that a Woman might not ſue it againſt her Husband, becauſe (*o*) till *Herod*'s Daughter there was no Example of it? But now when the Church hath thus long perſevered, in not only juſtifying but ſolemnizing many Examples hereof, are not St. *Auguſtine*'s Diſciples guilty of the ſame Pertinacy which is imputed to *Ariſtotle*'s Followers, (*p*) who defending the Heavens to be inalterable, becauſe in ſo many Ages nothing had been obſerved to have been altered, his Scholars ſtubbornly maintain his Propoſition ſtill, though by many Experiences of new Stars, the Reaſon which moved *Ariſtotle* ſeems now to be utterly defeated?

13. S. *Auguſt.* Scholars in this Point of Examples, as ſtubborn as *Ariſtotl.* for the Heavens inalterableneſs, tho' the Reaſon of both be ceaſed.

Thus much being ſpoken by the Way of St. *Auguſtine*, and having purpoſely ſepos'd the Examples recorded in the Scriptures, for our Third Part, we will conſider ſome Examples regiſtred in the Eccleſiaſtick Hiſtory.

The Church whoſe Dignity and Conſtancy it becomes well, that that Rule of her own Law, be ever juſtly ſaid of her ſelf, (*q*) [*Quod ſemel placuit amplius diſplicere non poteſt,*] where new Reaſons do not interpoſe, (*r*) celebrates upon the Ninth of *February* the Birth, (that is the Death, of the Virgin and Martyr *Appollonia*;) who, after the Perſecutors had beat out her Teeth, and vexed her with many other Tortures, when ſhe was preſented to the Fire, being inflamed with a more burning Fire of the Holy Ghoſt, broke from the Officers Hands, and leapt into the Fire.

14. Of the Martyr *Appollonia.*

For

(*o*) *Serarius de Rabbin. & Herodibus*, c. 17. (*p*) *Keplerus de Stella Serpent.* c. 23. (*q*) *Sextus Reg. Jur. quod ſemel.* (*r*) *Baron. Martyrolog.*

For this Act of hers many Advocates riſe up for her, and ſay, that either the Hiſtory is not certain, (yet the Authors are *Beda*, *Uſuardus*, *Ado*; and (as *Barronius* ſays) *Latinorum cæteri*,) or elſe, (*ſ*) ſays *Sayr*, you muſt anſwer that ſhe was brought very near the Fire, and as good as thrown in: Or elſe, that ſhe was provoked to it by Divine Inſpiration. But, but that another Divine Inſpiration, which is true Charity, moved the Beholders then to believe, and the Church ever ſince to acknowledge, that ſhe did therein a Noble and Chriſtian Act, to the ſpecial Glory of God, this Act of hers, as well as any other, might have been calumniated to have been done, out of Wearineſs of Life, or Fear of Relapſe, or Haſte to Heaven, or Ambition of Martyrdom. 15. Of Anſwers in her Excuſe.

The Memory of (*t*) *Pelagia*, as of a Virgin and Martyr, is celebrated the Ninth of *June*. And though the Hiſtory of this Woman ſuffer ſome Perplexity, and give Occaſion of doubting the Truth thereof, (for *Ambroſe* ſays, That She and her Mother drown'd themſelves; and *Chryſoſtome*, That they flung themſelves down from a Houſe-top: And *Baronius* ſaw this Knot to be ſo hard to unintangle, that he ſays, [*Quid ad hac dicamus, non habemus,*] yet the Church, as I ſaid, celebrates the Act, as though it were glad to take any Occaſion, of approving ſuch a Courage in ſuch a Cauſe, which was but Preſervation of Chaſtity. [(*u*) *Their Martyrdom* ſaith St. *Auguſtine*, *was ever in the Catholick Church frequented* Veneratione Celeberrima.] 17. Tho' her Hiſtory be very uncertain the Church ſeems glad of occaſion to celebrate ſo noble a Fact. 18. *Auguſt.* Teſtimony of her.

K And

(*ſ*) *Sayr. Theſau. Caſ. Conſ.* l. 9. c. 7. n. 11. (*t*) *Baron. Mart.* (*u*) *Auguſt. de Civitate Dei*, l. 1. c. 26.

19. *Ambroſe* Meditation upon her.

And (*x*) St. *Ambroſe*, when his Siſter *Marcellina*, conſulted him directly upon the Point, what might be thought of them who kill themſelves in ſuch Caſes, (and then it is agreed by all, that the Opinions of the Fathers are eſpecially to be valued, when they ſpeak of a Matter, not incidently or caſually, but directly and deliberately) anſwers thus, [*We have an Example of ſuch a Martyrdom in* Pelagia:] And then he preſents her in this Religious Meditation, [*Let us die, if we may have Leave, or if we be denied Leave, yet let us die, God cannot be offended with this, when we uſe it but for a Remedy*;] and our Faith takes away all Offence. Here is no Difficulty: For who is willing to die, and cannot, ſince there are ſo many Ways to Death? I will not truſt my Hand, leſt it ſtrike not home: Nor my Breaſt, leſt it withdraw it ſelf: I will leave no Eſcape to my Fleſh, for we can die with our own Weapons, and without the Benefit of an Executioner.

And then having dreſt her ſelf as a Bride, and going to the Water: Here, ſays ſhe, let us be baptized; this is the Baptiſm where Sins are forgiven, and where a Kingdom is purchaſed: And this is the Baptiſm after which none ſins. This Water regenerates; this makes us Virgins, this opens Heaven, defends the Feeble, delivers from Death, and makes us Martyrs. Only we pray to God, that this Water ſcatter us not, but reſerve us to one Funeral. Then entered they as in a Dance, Hand in Hand, where the Torrent was

(*x*) *De Virg.* lib. 3.

was deepeſt, and moſt violent. And thus died, (as their Mother upon the Bank called them) [*Theſe Prelates of Virginity, Captains of Chaſtity, and Companions in Martyrdom.*

20. *Euſebius* his Oration imagined in the Perſon of her Mother.

And before *Ambroſe*, we find (y) *Euſebius* to have been of the ſame Perſwaſion, who thus produces the Mother encouraging them: [*You know how I have brought you up, in the fear of God; and ſhall your Nakedneſs, which the publick Air hath not had leave to ſee, now be proſtituted in the Stews? Have not ſo little Faith in God, as to fear Death, deſpiſe not Chaſtity ſo much, as to live with Shame; but with a pure and chaſte Death condemn this World. And ſo, deluding their Keepers, as though they withdrew for natural Neceſſities, they drowned themſelves.*] All Authors of that Time are ſo profuſe in the Praiſe of this Fact, that it is juſt to ſay thereof, as (z) *Pliny* ſays of *Nerva*'s adopting *Trajane*, [*It was impoſſible it ſhould have pleaſed all when it was done, except it had pleaſed all before it was done.*]

For no Author, that I have lighted upon, diminiſhed the Glory of theſe and ſuch other, until St. *Auguſtine*, out of his moſt zealous and ſtartling Tenderneſs of Conſcience, began to ſeek out ſome ways, how theſe *Self-homicides* might be juſtified, becauſe he doubted that this Act naturally was not exempt from Taxation. And yet ever he brings himſelf to ſuch Perplexity, as either he muſt defend it, and call in Queſtion the Authority of a general Conſonance of all Times

21. St. *Aug.* firſt of any doubted their Fact, and did ſeek Shifts to defend it, which it needed not.

(y) *Euſebius Eccleſ. Hiſtor.* lib. 8. cap. 4. (z) *Plin. Paneg. Trajan.*

and Authors, or retire to that poor and improbable Defence, that it was done by Divine Inſtinct. Which can very hardly be admitted in this Caſe, where not their Religion but only their Chaſtity was ſollicited and attempted.

Nor can St. *Ambroſe*, or *Euſebius* be drawn to that Opinion of eſpecial Divine Inſtinct, becauſe ſpeaking *ex animo*, tho' in the Mother's Perſon, they incite them to it with Reaſons from Moral Vertues.

22. St. *Aug.* Example hath drawn *Pedraca* to the ſame Shift, of ſpecial Divine Inſtinct in a like Caſe.

Yet St. *Auguſtine*'s Example, (as it prevails very much, and very juſtly for the moſt part) hath drawn many others ſince to the like Interpretation of the like Acts. For, when the Kingdom of *Naples* came to be divided between *Ferdinand* the Fifth, and *Lewis* the Twelfth, the *French* Army being admitted into *Capua*, upon Condition to do no Violence, amongſt many Outrages, a Virgin not able to eſcape the Fury of a licentious Soldier, offered for Ranſome, to lead him to Treaſure; and ſo took Advantage of a Place in the Wall, to fling her ſelf into the River. [*Which Act*, (a) ſays *Pedraca*, *we muſt believe to be done by Divine Inſpiration, becauſe God loves Chaſtity now as well as ever he did.*] Which eſcape every ſide may find eaſie, if being preſſed with Reaſon, they may ſay as *Peter Martyr* doth of the *Egyptian* Midwives, and of *Rahab*, and ſuch; (b) [*If they did lye, they did it*, impulſu Dei.]

23. So ſays *P. Martyr* of the Midwives and of *Rahab*'s Lye.

But

(a) *Pedraca Caſ. de Conſc.* 5. *prae. Hiſpanica Editio.*
(b) *In* Jud. 3.

But as our Cuſtom hitherto hath been, let us depart from Examples to Rules; tho' Concurrence of Examples, and either an expreſs or interpretative Approbation of them, much more ſuch a Dignifying of them as this, of the whole Church, and of Catholick Authors approved by that Church, be equivalent to a Rule. And to eaſe the Reader, and to continue my firſt Reſolution of not deſcending into many Particulars, I will only preſent one Rule, but ſo pregnant, that from it many may be derived; by which, not only a Man may, but muſt do the whole and intire Action of killing himſelf; which is, to preſerve the Seal of Confeſſion. For, tho' (*c*) the Rule in general be, [That if a Spider fall into the Chalice, the Wine may be changed, becauſe, *Nihil abominabile debet ſumi occaſione hujus Sacramenti.*] And ſo (*d*) it may, if the Prieſt after Conſecration come to the Knowledge that the Wine is poyſoned, [*Ne calix vitæ vertatur in mortem*;] Yet (*e*) if he know this by Confeſſion, from his Aſſiſtant, or any other, and cannot by any Diverſion, nor Diſguiſe, eſcape the Diſcovering, that this was confeſſed to him, without drinking it, if it be Poyſon, he muſt drink it.

14. To preſerve the Seal of Confeſſion, a Man may be bound to kill himſelf.

But becauſe Men of more abundant Reading, active Diſcourſe, and concluſive Judgment, will eaſily provide themſelves of more Reaſons and Examples, to this Purpoſe; it

(c) *Jo. de Lap. Caſ. Miſſales*, c. 6. *art.* 5. (d) *Ibid.*
(e) *Sotus de reg. ſecret. memb.* 3. *q.* 4.

ſhall ſatisfie me, to have awakened them thus much, and ſhewed them a Mark to direct their Meditations upon. And ſo I may proceed to the Third Part, which is of the Law of God.

THE

THE THIRD PART OF THE Law of GOD.

DISTINCTION I.

SECTION I.

THAT Light which iſſues from the Moon, doth beſt repreſent and expreſs that which in our ſelves we call the Light of Nature; for as that in the Moon is permanent and ever there, and yet it is unequal, various, pale and languiſhing, ſo is our Light of Nature changeable. For being at the firſt kindling at Full, it wained preſently, and by departing further and further from God, declined by general Sin, to almoſt a total Eclipſe; till God coming nearer to us, firſt by the Law, and then by Grace, enlightned and repaired it again, conveniently to his Ends; for further Exerciſe of his Mercy and

1. An Induction to the Handling of thoſe Places of Scripture.

Juſtice. And then thoſe Artificial Lights, which our ſelves make for our Uſe and Service, as Fires, Tapers, and ſuch reſemble the Light of Reaſon, as we have in our Second Part accepted that Word. For though the Light of theſe Fires and Tapers be not ſo natural as the Moon, yet becauſe they are more domeſtick and obedient to us, we diſtinguiſh particular Objects better by them, than by the Moon: So by the Arguments, and Deductions, and Concluſions, which our ſelves beget and produce, as being more ſerviceable and under us, becauſe they are our Creatures; particular Caſes are made more clear and evident to us; for theſe we can be bold withall, and put them to any Office, and examine and prove their Truth, or Likelihood, and make them anſwer as long as we will ask; whereas the Light of Nature, with a ſolemn and ſupercilious Majeſty, will ſpeak but once, and give no Reaſon, nor endure Examination.

But becauſe of theſe Two Kinds of Light, the firſt is too weak, and the other falſe, (for only Colour is the Object of Sight, and we not truſt Candle-light to diſcern Colours) we have therefore the Sun, which is the Fountain and Treaſure of all created Light, for an Emblem of that third-beſt Light of our Underſtanding, which is the Word of God. (a) [*Mandatum lucerna, & Lex lux,*] ſays *Solomon*. But yet (*b*) as weak credulous Men think ſometimes they ſee two or three Suns, when they ſee none but Meteors, or other Appearance; ſo are many tranſported with like Facility or Dazling, that for ſome Opinions which

(a) *Prov.* 6. (b) *Plin.* l. 2. c. 31.

which they maintain, they think they have the Light and Authority of Scripture, when, God knows, Truth, which is the Light of Scriptures, is Divine truly under them, and removed in the farthest Distance that can be. If any small Place of Scripture, miſ-appear to them to be of Uſe for juſtifying any Opinion of theirs; then (as the Word of God hath that precious Nature of Gold, that a little Quantity thereof, by reaſon of a faithful Tenacity and Ductileneſs, will be brought to cover Ten Thouſand times as much of any other Mettal,) they extend it ſo far, and labour, and beat it, to ſuch a Thinneſs, as it is ſcarce any longer the Word of God, only to give their other Reaſons a little Tincture and Colour of Gold, though they have loſt all the Weight and Eſtimation.

But ſince the Scripture it ſelf teaches; (*c*) [*That no Prophecy in the Scripture, is of private Interpretation,*] the whole Church may not be bound and concluded by the Fancy of one, or of a few, who being content to enſlumber themſelves in an Opinion, and lazy Prejudice, dream Arguments to eſtabliſh, and authorize that.

A (*d*) profeſſed Interpreter of Dreams, tells us, [*That no Dream of a private Man, may be interpreted to ſignifie a publick Buſineſs.*] This I ſay, becauſe of thoſe Places of Scriptures, which are alledged for the Doctrine which we now examine, ſcarce any one, (except the Precept, *Thou ſhalt not kill*) is offered by any Two Authors. But to one, one Place to another

(c) 2 Pet. 1. 20. (d) *Artemidorus de ſomn. Interp.* lib. 1. cap. 2.

nother, another ſeems directly to govern in the Point, and to me, (to allow Truth her natural and comely Boldneſs) no Place, but that ſeems to look towards it.

2. Why I forbear to name them who cite theſe Places of Scripture.

And therefore in going over all thoſe Sentences, which I have gathered from many Authors, and preſenting convenient Anſwers and Interpretations thereof, I will forbear the Names of thoſe Authors, who produced them ſo impertinently, leſt I ſhould ſeem to diſcover their Nakedneſs, or inſimulate them even of Prevarication.

3. If any oppoſe an Anſwer what I intreat of him.

If any Divine ſhall think the Cauſe, or Perſons injured herein, and eſteem me ſo much worth the Reducing to the other Opinion, as to apply an Anſwer hereunto, with the ſame Charity which provoked me, and which, I thank God, hath accompanied me from the Beginning, I beſeech him, to take thus much Advantage from me and my Inſtruction, that he will do it without Bitterneſs. He ſhall ſee the Way the better, and ſhew it the better, and ſail through it the better, if he raiſe no Storms.

4. Why Clergymen may Fiſh, or Hunt, but not with Dogs.

Such Men, (*e*) as they are [*Fiſhers of Men*,] ſo may they alſo hunt us into their Nets, for our Good. But there is perchance, ſome myſtick Interpretation, belonging to that (*f*) Canon which allows Clergy-men to hunt; for they may do it by Nets and Snares, but not by Dogs; for Clamour and Bitings are forbidden them.

5. Of *Beza*'s Anſwer to *Ochins* Polygamy.

For I have been ſorry to ſee, that even *Beza* himſelf, writing againſt an Adverſary, and a Cauſe equally and extreamly obnoxious, only by

(*e*) *Mart.* 1. 17. (*f*) *Ex Diſt.* 86. *Eſau.*

by allowing too much Fuel to his Zeal, enraged againſt the Man, and neglecting, or but preſcribing in the Cauſe, hath with leſs Thoroughneſs and Satisfaction, than either became his Learning and Watchfulneſs, or anſwered his Uſe and Cuſtom, given an Anſwer to *Ochius*'s Book of *Polygamy*.

DISTINCTION II.

SECT. I.

IN all the Judicial, in all the Ceremonial Law delivered by *Moſes*, who was the moſt particular in his Laws of any other, there is no Abomination, no Mention of this *Self-homicide*. He teacheth what we ſhall, and ſhall not eat, and wear, and ſpeak, and yet nothing againſt this. 1. No Place offered out of Judicial nor Ceremonial Law,

SECT. II.

But the firſt Place that I find offered againſt it is, in *Geneſis*. [*I will require your Blood wherein your Lives are, at the Hand of every Beaſt will I require it; and at the Hand of Man, even at the Hand of a Man's Brother will I require the Life of them whoſo ſheddeth Man's Blood, by Man ſhall his Blood be ſhed.*] 1. Of the Place in *Gen.* 9. 5.

And this Place a very learned Man of the Reformed Church, ſays, the *Jews* underſtand of *Self-homicide*. But ſhall we put our ſelves under the *Jews* Yoak, (*a*) *That if we find in the* 2. We are not bound to accept the Interpretations of the *Rabbins*.

(a) *Buxdorfius Synag. Judaica ex Rabbi Iſaac*, c. 1. f. 62.

the Rabbins, *Things contrary to Nature, we muſt dare to accuſe nothing but our own Weakneſs, becauſe their Word is God's Word, and if they contradict one another, yet both are from God.*]

3. Of *Lyra* and of *Sa* his Hebraiſms.

(*b*) *Lyra* who ſeldom departs from the *Jews*, in Matters not controverted between them and us, toucheth upon no ſuch Expoſition; yet he expounds it more than one Way, and with Liberty enough, and far Straying.

And (*c*) *Emanuel Sa*, who in his Notes is more curious and ſuperſtitious, in reſtoring all the *Hebraiſms*, and oftentimes their Interpretations, than perchance that Church would deſire at his hands, offers at no other Senſe than the Words preſent. Nor can *Self-homicide* fall within the Commination and Puniſhment of that Law; For how can the Magiſtrate ſhed his Blood, who hath killed himſelf?

Sect. III.

1. Of the Place in *Deut.*33.39.

The next is in *Deuteronomy*: [*I Kill, and I give Life.*] Out of which is concluded, that all Authority of Life and Death is from God, and none in our ſelves.

4. Juriſdiction of Parents, Huſbands, Maſters and Magiſtrates muſt conſiſt with this Place.

But ſhall we therefore dare to condemn utterly all thoſe States and Governments, where Fathers, Husbands and Maſters had Juriſdiction over Children, Wives and Servants Lives? If we dare, yet how ſhall we defend any Magiſtracy, if this be ſo ſtrictly accepted? And if it admit Exceptions, why may not our Caſe be within thoſe?

How-

(b) *Lyra in hunc locum.* (c) *Emanuel Sâ Not. in univerſ. Script.*

Howſoever that this Place is incongruouſly brought, appears by the next Words, [*There is not any that can deliver from my Hand*;] or this being a Verſe of that Divine Poem, which God himſelf made and delivered *Moſes*, as a ſtronger and more ſlippery Inſinuation and Impreſſion into the *Iſraelites* Hearts, than the Language of any Law would make, expreſſes only that the Mercies and Judgments of God are ſafe, and removed from any Humane Hinderance, or Interruption. So (*a*) in another Gratulatory Song made by *Samuel*'s Mother, the ſame Words are repeated, [*The Lord killeth, and maketh alive*;] and this becauſe God had given her a Son, when ſhe was paſt hope. That Place alſo in *Tobit* (*b*) is fitly paralell'd with this; [*He leadeth to Hell, and bringeth up, nor is there any that can avoid his Hand.*] And can theſe two Places be detorted to their Purpoſe, That none but God may have Juriſdiction over our Temporal Life? Or (*c*) that Place of the Book of *Wiſdom*, which is alſo ever joyned, as of the ſame Signification with theſe, [*For thou haſt the Power of Life and Death,*] which is ſpoken of his miraculous Curing by the Brazen Serpent. So that all theſe Four Places have one Reſpect and Aim, and none of them look towards our Queſtion.

5. This Place muſt be interpreted, as the other Places of Scripture which have the ſame Word, from which no Concluſion can be wreſted againſt this Fact.

Sect. IV.

In the Order of the Divine Books, the next Place is produced out of *Job*, [*Militia eſt vita hominis ſuper terram.*] For, tho' our Tranſlation

1. Of the Place of *Job* 7. 1.

(a) 1 *Sam.* 2. 6. (b) *Tob.* 13. 2. (c) *Sap.* 16. 13.

2. Why they cite this Place in Latin.

tion give it thus; [*Is there not an appointed Time to Man upon Earth?*] yet the Latin Text is thus cited to this Purpoſe, by ſome not addicted to the vulgar Edition, becauſe it ſeems in Latin better to afford an Argument againſt *Self-homicide*. For thereupon they infer, that we may not depart at our own Pleaſure from the Battel. But becauſe only the Metaphor, and not the extending of it, nor Inference upon it, is taken out of the Scripture, it brings no ſtrong Obligation with it, nor deſerves much Earneſtneſs in the Anſwer; yet to follow him a little in his Alluſion, (a) [*A Soldier may by Law, be ignorant of the Law, and is not much accuſable if he tranſgreſs it.*] And by (*b*) another Law, if [*a Soldier whoſe Preſence is neceſſary for the Safeguard of the Army, may be abſent* Cauſa Reipub. *and being abſent, his Abſence ſhall be interpreted to be ſo.*] And (*c*) even to thoſe which killed themſelves in the Army, we noted before in the Second Part, That the Laws were not ſevere, if they had any Colour of juſt Cauſe: So that this Figurative Argument profits then nothing, eſpecially being taken from this Place, where the Scope of *Job* was to prove, that our Felicity and End upon which our Actions are bent, is not in this Life, but as Wars work to Peace, ſo we labour here to Death, to that Happineſs which we ſhall have after. And therefore, whoſoever were Author of that Letter which hath (*d*) Chriſt's Name to *Abgarus*, doth not make Chriſt ſay, that when he hath done that for which

3. Of Soldiers Privileges of Abſence by Law.

4. *Job*'s Scope is, that as War works to Peace: So here we only labour to Death.

(a) *Digeſt. li.* 22. *tit.* 6. *leg.* 9. (b) *L.* 4. *tit.* 6. *leg.* 44. (c) *Supra.* (d) *Euſeb.* l. 1. c. 13.

which he was ſent hither, he will come to him, and take his Offer of half his Kingdom, but that when he hath done, he will return to him which ſent him; that is, he will die, ſo that if either ſide have Advantage by this Place of *Job*, we have it.

5. Of Chriſts Letter to K. *Abgarus*.

Sect. V.

And by the other Place of *Job* much more, which is, [*Therefore my Soul chuſeth rather to be ſtrangled, and to die, than to be in my Bones.*] Hereupon they infer, That if it might have been lawful to die ſo, *Job* would have done it. But beſides that, the wretched Poverty and Feebleneſs of this Manner of Negative Arguments, *Job* did it not, therefore he might not do it, we may perceive by the whole Frame of the Hiſtory, that God had choſen him for another Uſe, and an Example of extream Patience. So that for any thing that appears in *Job*'s Caſe, he might not lawfully do it, becauſe he could propoſe nothing but his own Eaſe. Yet *Job* whoſe Sanctity I think it Sacriledge to diminiſh, whether he were a Perſon or Perſonate, in their Confeſſion ſtrayed thus far towards killing himſelf, as to wiſh his Death, and curſe his Birth; for his whole Third Chapter is a bitter and malignant Invective againſt it, and a violent Wiſhing of his own Death.

1. Of the Place *Job* 7. 15.

2. Why this was not lawful to *Job*.

3. His Words ſeem to ſhew ſome Steps toward a Purpoſe of *Self-homicide*.

(*a*) *Sextus Senenſis* gives an Anſwer for him ſo Literal, as it can admit or reach to no Senſe, which is, [*That curſing his Birth-day, which then was paſt, he curſed nothing.*]

4. *Sex. Sen.* and *Gregory*'s Expoſition thereof.

And

(a) *Sex. Sen. Bibliot. Sanct.* l. 8. *Hereſ.* 10.

And (*b*) St. *Gregory* gives an Anſwer ſo Myſtical, as no Senſe can reach to it, which is, [*That there is a Second Birth into Sin in this World, and* Job *curſed his Entrance into that.*] And ſo becauſe theſe Words might be readily taken for an inordinate Wiſhing of Death; *Gregory* provides them alſo a Myſtical Interpretation, for the Latin Reading is thus, [*Suſpendium elegit Anima mea*;] he ſays, [*This was* Suſpendium ſpirituale, *which was but an Elevation of the Mind*; as St. *Paul* ſaid, *Chriſto crucifixus ſum cruci.*] But beſides, that this Eſcape will not ſerve, when the Original Word is conſidered, and that the next Verſe is, [*Deſperavi nequicquam ultra vivam*;] in the Twentieth Verſe, he chides God by the Name of [*O thou Preſerver of Men,*] as being angry that he preſerved him, [*Being now a Burden to himſelf, and would not leave him alone, whilſt he might ſwallow his Spittle.*] And he ends that Chapter thus, [*If thou ſeekeſt me in the Morning, I ſhall not be found.*] This I ſay, only to ſhow that one whom none hath exceeded in Holineſs, may without any Detortion of his Words, be argued to have ſtept far towards a Purpoſe of killing himſelf. Who liſt to give any other Conſtruction to his Words ſhall not diſpleaſe me, nor impair the Strength of our Propoſition.

Gal. 2.

5. Wherein I differ from the Anabaptiſts, who affirm that *Job* deſpaired.

And though I confeſs, I have not read any to expound theſe Words of *Job* directly thus, and though I know the Opinion in general of his Deſpairing, be thus much diſcredited, that it is held by the *Anabaptiſts*, yet, beſides that, it is not juſt nor ingenuous, to condemn all

(*b*) *Gregor. Mor.* l. 4. c. 6.

all that a condemned Man ſays, (for even a leprous Man may have one Hand clean to take and give withal.) And St. *Hierome* is inexcuſable, in that Point of his ſlippery Zeal, in his Behaviour towards *Vigilantius*, yea the *Trent* Council it ſelf is obnoxious therein, for condemning Names of Authors, and not Books. Beſides this, I ſay, the *Anabaptiſts* differ from me in their End and Purpoſe, for they impute Deſpair to *Job*, only to infirm the Authority of the Book, which ſchiſmatically they labour to rent from the Canon of Scripture: But I juſtly with the Conſent of all Chriſtian Churches admitting it for ſuch, ſay, That *Job* might keep his Sanctity, and the Book his Dignity, and yet he might have a Purpoſe to kill himſelf.

6. S. *Hierome* and the *Trent* Council err in condemning all which a condemned Man ſaith.

For very many Reverend Authors in the Reformed Church, not raſhly to be forſaken, have imputed to our moſt bleſſed Saviour, as near Approaches to a more dangerous kind of Deſpair, than we impute to *Job*, without diminiſhing him, or his Scriptures.

7. Of them which imputedeſpair unto Chriſt.

Sect. VI.

I find alſo another Place of *Job* obtruded. [*Skin for Skin, and all that ever a Man hath will he give for Life.*] From which Words they argue a Natural Love in us to this Life.

1. Of the place *Job* 2. 4.

Let it be true, (though the Devil ſay it, for the Words are his) that our Senſitive Nature is too indulgent to this Life, (though I fear I have offended and ſurfeited you in the Firſt Part with Examples of meer Natural and Senſitive Men, which have choſen Death;) yet will that prove that our Reaſonable Nature

may in no Caſe correct that Enormity? This is as ſtrong againſt God's outward calling us to him by Sickneſs, or Perſecution, as againſt any ſuch inward Motions.

Sect. VII.

1. Of the Place *Eccl.* 20. 16.

As unproperly, and unprofitably to their Ends and Purpoſe, do they offer that Place of *Eccleſiaſticus*, [*Non eſt Cenſus ſupra Cenſum ſalutis Corporis*,] which I place here, though out of Order, becauſe of the Affinity between this Place and the laſt, and that one Anſwer, is, at leaſt, enough for them both. For, though this Place may prove, that we naturally love this Body, (yet it is not of the Safety of the Body, as if all Men deſired that the Body might live, but it is of bodily Health whilſt it doth live,) yet it proves not, that we may in no Caſe abandon it.

2. This place is not of Safety, but of Health.

Sect. VIII.

1. Of the Place *Exod.* 20.

The moſt proper, and direct, and ſtrongeſt Place, is the Commandment; for that is of Moral Law, [*Thou ſhalt not kill*;] and this Place is cited by all to this Purpoſe.

2. S. *Auguſt.* thinks this Law to concern ones ſelf more directly than another.

But I muſt have leave to depart from (*a*) St. *Auguſtine*'s Opinion here, who thinks that this Commandment is more earneſtly bent upon a Man's ſelf, than upon another; becauſe here is no Addition, and in the other, there is, [*Againſt thy Neighbour*;] for certainly, I am as much forbid by that Commandment to accuſe my ſelf falſly, as my Neigh-

(a) 2. *Q.* 5. *Si non licet.*

Neighbour, though only he be named. And by this, I am as much forbid to kill my Neighbour as my ſelf, though none be named. So, as it is within the Circuit of the Command, it may alſo be within the Exceptions thereof. For, tho' the Words be general, *Thou ſhalt not kill*, we may kill Beaſts; Magiſtrates may kill Men; and a private Man in a juſt War, may not only kill, contrary to the Sound of this Commandment, but he may kill his Father, contrary to another.

3. This Law hath many Exceptions.

When Two natural Laws, contrary to one another, occur, we are bound to that which is *ſtrictioris vinculi*.

4. Laws of the firſt Table are *ſtrictioris vinculi*, then of the latter.

As all Laws concerning the Honour of God, and Faith, are in reſpect of the Second Table, which is directed upon our Neighbour by Charity. If therefore they could be a Neceſſity, that I muſt do an Act of Idolatry, or Kill, I were bound to the latter.

By which Rule, If perchance a Publick exemplary Perſon, which had a juſt Aſſurance that his Example would govern the People, ſhould be forced by a Tyrant, to do an Act of Idolatry, (although by Circumſtances he might ſatisfie his own Conſcience, that he ſinned not in doing it,) and ſo ſcandalize and endanger them; if the Matter were ſo carried and diſguiſed, that by no way he could let them know, that he did it by conſtraint, but voluntarily, I ſay, perchance he were better kill himſelf.

5. A Caſe wherein it is probable that a Man muſt kill himſelf.

It is a ſafe Rule, (*b*) [*Juri Divino derogari non poteſt, niſi ipſa derogatio juri Divino conſtet.*] But ſince it is not thought a violating of that

(b) *Acatius de privil.* l. c. 3.

Rule, (c) [*To kill by publick Authority, or in a juſt War, or Defence of his Life, or of another's*;] Why may not our Caſe be as ſafe and innocent?

If any importune me to ſhew this Privilege, or Exemption of this Caſe from the Commandment, I may with (*d*) *Sotus* retort it, and call for their Privilege to kill a Day-Thief, or any Man in defence of another.

6. As Laws againſt Day-Thieves may be deduced from the Law of God authorizing Princes, ſo may this from the Commandment, of preferring God's Glory.

And as theſe Laws may be mediately and ſecondarily deduced from the Conformity of other Laws, and from a general Authority which God hath afforded all Sovereigns, to provide as Neceſſities ariſe: So may our Caſe be derived as well from that neceſſary Obligation which lies always upon us, of preferring God's Glory above all Humane Reſpects. So that we cannot be put to ſhew, or plead any Exemption, but when ſuch a Caſe ariſes, we ſay that that Caſe never was within the Reach of that Law. Which is alſo true of all the other which we called Exemptions before.

7. Whatſoever might have been done before the Law, this Law forbids not.

For, whatſoever might have been done before the Law, (as this might, if it be neither againſt Nature, nor Juſtice, from both which we make account that we have acquitted it,) upon that, this Commandment never fell, not extended to it.

Sect. IX.

1. Of the Place *Sap.* 1. 12.

I have found alſo a Place urged out of the Book of *Wiſdom*, which is, [*Seek not Death in the Error of your Life.*] Which being ever coupled

(c) *Navr. Manual.* c. 15. n. 2. (d) *Supra.*

coupled with another Place in *Deuteronomy*, by Collation of the Two Places it appears, That that which is forbidden there is Idolatry, and by Death is meant the *Second Death*, or the Way to it. *Deut.* 4. 24.

And ſo this Diſtinction which was intended for the Places cited from the Books of the Old Teſtament, ſhall here have an End; and to the next we allow thoſe of the New.

DISTINCTION III.

Sect. I.

OF which the firſt that I have obſerved is in *Matthew*, when the Devil tempts Chriſt thus, [*If thou be the Son of God, caſt thy ſelf down.*] With all Expoſitors, I confeſs, this was a Temptation to vain Glory, and therefore moſt appliable to our Caſe, where we make Account, that we work ſomewhat to the Service of God, and Advancement of his Glory, when we allow this to be done; and it is a very ſlippery Paſſage, and a devout Man were out of the Nature of Devotion, likelier to err that Way, than a worldly, but that the Hand of God is extended to the Protection of ſuch. 1. Of the Place *Mat.* 4. 6.

But directly this Place will not ſhake, nor attempt our Propoſition; for though Chriſt would not ſatisfie the Devil, nor diſcover himſelf, yet he did as much when it conduced to his own Ends, as the Devil tempted him to in this Place, or the other; both in changing 2. Chriſt, where it conduced to his own Ends, did as much as the Devil did tempt him to, in this place.

changing the Species and Nature of Water into Wine, and in expoſing himſelf to certain Danger when he walked upon the Waters. Chriſt refuſed no Difficulty, nor abſtained from Miracles, when he knew he profited the Beholders; nor do I ſay, that in any other Caſe, than when we are probably and excuſably aſſured, that it is to a good End, this may be lawful to us.

Sect. II.

1. Of the Place *Acts* 16. 17.

The next Place is in the *Acts of the Apoſtles*. [*The Keeper of the Priſon drew out his Sword, and would have killed himſelf, ſuppoſing the Priſoners had been gone*; *But* Paul *cryed, Do thy ſelf no Harm, for we are all here.*] To which I ſay,

2. St. *Paul* knew God's Purpoſe of baptizing the Keeper.

That by the ſame Spirit by which *Paul* being in the inner Priſon, in the Dark, knew what the Keeper thought, and what he was about to do without, he knew alſo God's Purpoſe to be glorified in the Converſion of him and his Family; and therefore did not only reclaim him from that Purpoſe, which was inordinate, and for his own ſake, to eſcape Puniſhment, (in which yet we may obſerve how preſently Man's Nature inclines him to this Remedy) but alſo forbears to make his Benefit of this Miracle, and to eſcape away: And ſo, though he reſcue the Keeper, he betrays himſelf.

3. Elſe ſaith *Calvin*, he had fruſtrated God's Way to give him an Eſcape by the Keeper's Death.

And therefore *Calvin* upon this Place makes to himſelf this Objection, [*That* Paul *ſeeing all his Hope of Eſcape to conſiſt in the Death of the Keeper, neglected that Way of Liberty which God offered him, when he reſtrained the Keeper from killing himſelf.*] And he anſwers it only thus, [*That he had a Conſcience and Inſight into God's Purpoſe*

Purpoſe and Decree herein.] For otherwiſe, if he had not had that (which very few attain to have) it ſeems he ought to have permitted the Keeper to proceed, to facilitate thereby his Way of Eſcaping.

Sect. III.

Which alſo infers ſome Anſwer to another Place of St. *Paul*, where he delivers and diſcharges himſelf, and his fellow Apoſtles, of having taught this Doctrine, [*That a Man might do Evil, that Good might come thereof.*] And conſequently it is well and by juſt Collection pronounced that he forbids that Doctrine. 1. Of the Place *Rom.* 3. 8.

And we alſo humbly ſubſcribe to that Rule, and accept it ſo, as St. *Paul* intends it; that is, in Things which Nature, and not Circumſtance makes Evil. And in theſe alſo, when any ſuch Circumſtance doth make them Evil, as another Circumſtance to the contrary doth not preponderate and over-rule this. This therefore we muſt have Liberty to enlighten with a larger Diſcourſe. 2. How *Paul* forbids Evil to be done for Good.

Of the Evils which ſeem to us to be of Puniſhment, of which kind Death is, God ever makes others his Executioners; for the greateſt of all, though it be Spiritual, which is Induration, is not ſo wrought by God himſelf immediately, as his Spiritual Comforts are, but Occaſionally, and by Deſertion. 3. God always inflicteth *Malum pœnæ* by Inſtruments.

Sometimes in theſe God imploys his Angels, ſometimes the Magiſtrate, ſometimes our ſelves. Yet all which God doth in this Life by any of theſe, is but Phyſick: For (*a*) 4. Induration it ſelf is ſometime medicinal.

(a) *Aqui.* 12. *q.* 79. *ar.* 4. *con.*

even Excæcation and Induration is ſent to further Salvation in ſome, and inflicted medicinally. And theſe Miniſters and Inſtruments of his, are our Phyſicians, and we may not refuſe any Bitterneſs, no not that which is naturally Poyſon, being wholeſomely corrected by them. For as in (*b*) Cramps, which are Contortions of the Sinews, or in Tetars, which are Rigors and Stiffneſs in the Muſcles, we may procure to our ſelf a Fever to thaw them, or we may procure them in a burning Fever, to condenſe and attemper our Blood again; ſo in all Rebellions and Diſobediences of our Fleſh, we may miniſter to our ſelves ſuch Corrections and Remedies, as the Magiſtrate might, if the Fact were evident. But, becauſe, though for Prevention of Evil, we may do all the Offices of a Magiſtrate upon our ſelves, in ſuch ſecret Caſes, but whether we have that Authority to do it after or no, eſpecially in Capital Matters, is diſputable, and at this Time, we need not affirm it preciſely; I will examine the Largeneſs of that Power no farther now.

5. We may correct in our ſelves one Diſeaſe by another.

But deſcend to that kind of Evil, which muſt of Neceſſity be underſtood in this Place of *Paul*; which is, that we account naturally Evil. And even in that, the Biſhops of *Rome* have exerciſed their Power, (*c*) to diſpenſe with *Bigamy*, which is in their Doctrine directly againſt God's Commandment, and therefore naturally Evil. So did (*d*) *Nicholas* the Fifth, diſpenſe with a Biſhop in *Germany*, to conſult with Witches, for Recovery of his

6. In Things Evil in ſuch Sence as *Paul* taketh them here, Popes daily diſpenſe.

(b) *Hippocrat. Aphor. l.* 2. 38. (c) *Diſt.* 34. *lector gloſſ.* (d) *Bodinus Dæmon. l.c.* 5.

his Health; and it were eaſie to amiſs many Caſes of like Boldneſs.

In like manner (*e*) the Imperial Law tollerates Uſury, Preſcription, *Malæ fidei*, and Deceit *ad Medium*, and expreſly allows (*f*) Witchcraft, to good Purpoſes. [*Conformably to which Law*, Paracelſus ſays, *It is all one whether God or the Devil cure, ſo the Patient be well.*] 7. So do the Civil Laws.

And ſo the (*g*) Canons have preſcribed certain Rules of doing Evil, when we are overtaken with Perplexities, to chuſe the leaſt, of which (*h*) St. *Gregory* gives a natural Example, [*That a Man attempted upon a high Wall, and forced to leap it, would take the loweſt Place of the Wall.*] And agreeably to all theſe the (*i*) *Caſuiſts* ſay, [*That, in extream Neceſſity, I ſin not if I induce a Man to lend me Money upon Uſury: And the Reaſon is, becauſe I incline him to a leſs Sin, which is Uſury, when elſe he ſhould be a* Homicide, *by not relieving me.*] And in this Faſhion (*k*) God himſelf is ſaid to work Evil in us, becauſe when our Heart is full of evil Purpoſes, he governs and diſpoſes us rather to this than to that Evil, wherein, though all the Vitiouſneſs be ours, and Evil, yet the Order is from God, and Good. Yea, he doth poſitively incline one to ſome certain Evil thus, That he doth infuſe into a Man ſome good Thoughts, by which, he, out of his Vitiouſneſs takes Occaſion to think he were better 8. So do Canons. 9. So doth God occaſion leſs Sin to avoid greater.

(e) *Windeck de Conſenſ. & diſpenſ. leg. & Canca.* 11. (f) *Cod. tit. de maleſ.* l. 4. § *eorum.* (g) *Paracel. l. de morb. cad.* (h) *Diſt.* 14. *cap. Duo mala. Diſt. cad. cap. Nerui.* (i) *Nav. Man.* c. 17. n. 263. (k) *Bellar. de Amiſſ. grat. & ſtat. peccat.* lib. 2. cap. 3. *ex Hug. de vitt. & Tho.*

ter do ſome other Sin than that which he intended. Since therefore all theſe Laws and Practices concur in this, that we ſometimes do ſuch Evil, not only for expreſs and politive Good, but to avoid greater Evil, all which ſeems to be againſt this Doctrine of St. *Paul*.

9. What any other may diſpence withal in us, in Extremity we may diſpenſe within our ſelves. *Supra.*

And ſince, whatſoever any Humane Power may diſpenſe withal in us, we, in extream Neceſſity, in Impoſſibility of Recourſe to better Council, in an erring Conſcience, and in many ſuch Caſes may diſpenſe with our ſelves, (for that Canon of *Duo Mala*, leaves it to our Natural Reaſon, to judge, and value, and compare, and diſtinguiſh between thoſe Two Evils which ſhall concur.)

10. Yet no ſuch Diſpenſation changeth the Nature of Things, therefore that Particular was never naturally evil.

And ſince for all this, it is certain, that no ſuch Diſpenſation from another, or from my ſelf; doth ſo alter the Nature of the Thing, that it becomes thereby the more or the leſs Evil, to me there appears no other Interpretation ſafe, but this, That there is no external Act naturally Evil; and that Circumſtances condition them, and give them their Nature; as Scandal makes an indifferent Thing heinous at that Time; which, if ſome Perſon go out of the Room, or wink, is not ſo.

11. The Law it ſelf is neither good nor evil.

The Law it ſelf, which is given us as a Light, that we might not ſtumble, and by which we ſee, not what is Evil naturally (for that we ſee naturally, and that was ſo even to us, before the Law declared it) but what would be Evil (that is, produce evil Effects) if we did it at that Time, and ſo circumſtanced, is not abſolutely Good, but in ſuch Meaſure, and in ſuch Reſpects, as that which it forbids Evil. And therefore, (*l*) *Picus* comparing

(l) *Heptapl. l. 7. procem.*

paring the Law to the Firmament, (as *Moſes* accepts the Word) as he obſerves, that the Second Day, when God made the Firmament, he did not ſay, that it was good, as he did of every other Days Work; and yet it was not evil, (for then ſaith *Picus*, it could not have received the Sun, as if it had been good, it had not needed it.) So he reprehends the *Manichees*, for ſaying, that the Law was evil, yet he ſticks to that of (*m*) *Ezekiel*, that it was not good. That Evil therefore which by this place of St. *Paul*, is forbidden, is either Acts of Infidelity, which no Diſpenſation can deliver from the Reach of the Law, or elſe ſuch Acts as being by our Nature, and Reaſon, and Approbation of Nations, reputed Evil, or declared by Law or Cuſtom to be ſuch, becauſe of there ordinary evil Effects, do caſt a Guiltineſs upon the Doer, ordinarily, and for the moſt part, and ever except his Caſe be exempt and priviledged. This moved *Chryſoſtome*, (whom I cited before) to think a Lye, and a Conſent to Adultery, not evil in *Sarah*: And this rectified St. *Auguſtine*'s Squeamiſhneſs ſo far, as to leave us at liberty, to think what we would of that Wife's Act, which to pay her Husband's Debt, let out her ſelf one Night. For if any of theſe Things had been once evil naturally, they could never recover of that Sickneſs; but, (as I inſinuated before) as thoſe Things which we call Miracles, were written in the Hiſtory of God's Purpoſe, as exactly, and were as certainly to come to paſs, as the Riſing and Setting of the Sun, and as naturally, *in tota*

12. As *Picus* notes, comparing it to the Firmament.

13. What Evil *Paul* forbids, and why.

Supra.

14. Nothing which is once Evil can ever recover of that.

Supra.

(m) *Ezechiel.* 20. 25.

15. Three Acts were in God's Decree preſerved from thoſe Stains which make Things Evil, ſo as Miracles were written in his Book of Nature, tho' not in our Copy; and ſo, as our Lady is ſaid to be preſerv'd from original Sin.

tota campagine Naturæ, (for there is no interlining in that Book of God:) So in that his eternal Regiſter, where he foreſees all our Acts, he hath preſerved and defended, from that ordinary Corruption of evil Purpoſe, of inexcuſable Ignorance, of Scandal, and of ſuch other Inquinations of indifferent Things, (as he is ſaid to have done our B. Lady from original Sin in her Inanimation:) Some of thoſe Acts of ours, which to thoſe who do not ſtudiouſly diſtinguiſh Circumſtances, or ſee not the Doer's Conſcience, and Teſtimony of God's Spirit, may at the firſt Taſte have ſome of the Brackiſhneſs of Sin. Such was (*o*) *Moſes* killing of the *Egyptians*; for which there appears no eſpecial Calling from God. But becauſe this falls not often, St. *Paul* would not embolden us to do any of thoſe Things which are cuſtomarily reputed Evil.

16. Such was *Moſes* killing the *Egyptian*.

17. If this place be taken of all kind of Evil, it muſt admit Exception, as well as the *Decalogue*.

But if others be delighted with the more ordinary Interpretation of this Place, that it ſpeaks of all that which we call Sin, I will not refute that Interpretation, ſo they make not the Apoſtle's Rule, (though in this Place this be not given properly and exactly for a Rule;) more ſtrict than the Moral Precepts of the *Decalogue* it ſelf, in which, as in all Rules there are naturally included and incorporated ſome Exceptions, which if they allow in this, they are ſtill at the Begining; for this Caſe may fall within thoſe Exceptions.

Other-

(n) *Exod.* 2. 12.

Otherwiſe, that the general Application of this Rule is not proper, as by infinite other places, ſo it appears evidently by that in (o) *Bellarmine*, where he ſays, that by reaſon of this Rule, a Man may not, with neglecting a poor Neighbour, adorn a Church: Yet there are a great many Caſes, wherein we may neglect this poor Neighbour; and therefore that is not naturally evil. And certainly, whoſoever is delighted with ſuch Arguments, and ſuch an Application of this Text, would not only have objected this Rule to *Lot*, when he offered his Daughters, (for there it might have Colour) but would have joyned with *Judas*, when the Woman anointed Chriſt; and have told her, that although the Office which ſhe did were Good, yet the Waſte which ſhe made firſt was Evil, and againſt this Rule.

18. Otherwiſe the Application which *Bellarmine* and others make of it will be intollerable.

Sect. IV.

The ſame Apoſtle doth in divers other Places uſe this Phraſe, *That we are the Temples of the Holy Ghoſt*; and from thence is argued, that it is an unlawful Sacriledge to demoliſh, or to deface thoſe Temples. But we are ſo the Temples of God, as we are his Images; that is, by his reſiding in our Hearts.

1. Of the Places 2 *Cor.* 6. 16. 1 *Cor.* 3. 16. & 6. 16.

And who may doubt, but that the bleſſed Souls of the departed are ſtill his Temples, and Images: Even amongſt Heathens, thoſe Temples which were conſecrated to their Gods, might in Caſes of publick Good or Harm, be demoliſhed, and yet the Ground remain Sacred.

2. The Dead are ſtill his Temples, and Images. *Silvius Com. ad leges*,

And

(o) *De cul. Sanct.* lib. 4. cap. 7.

3. Heatheus Temples might be demoliſhed, yet the Soil remain Sacred.

And in the Two firſt Places, is only a Dehortation from polluting our Hearts, which are God's Temples, with Idolatry, or other Sin. In the other Place, he calls our Material Body, the Temple: And he makes it to us an Argument that we ſhould fly from Fornication, becauſe therein we treſpaſs againſt our own Body. And ſo here ariſes a double Argument, that we may not do Injury to our own Body, neither as it is ours, nor as it is God's.

4. St. *Paul*'s Reaſon is in Caſes where we avile our ſelves: Here we advance our ſelves.

In the Firſt of theſe then, he ſays, [*A Fornicator ſins againſt his Body*;] for as he ſaid Two Verſes before, [*He makes himſelf one Body with an Harlot*,] and ſo he diminiſhes the Dignity of his own Perſon. But is it ſo, in our Caſe? When he withdraws and purges it from all Corruptions, and delivers it from all the Inquinations, and Venome, and malign Machinations of his, and God's Adverſaries, and prepares it by God's Inſinuation and Concurrence, to that Glory, which without Death, cannot be attained.

5. That our Body is not our own, how it is to be underſtood here in *Paul*.

Is it a leſs Dignity, that himſelf be the Prieſt of God, and that himſelf be the Sacrifice of God, than that he be the Temple? But ſays *Paul*, (a) [*Your Body is the Temple of God, and you are not your own.*] But ſays *Calvin* here, you are not ſo your own, that you may live at your own Will, or abuſe your Body with Pollutions and Uncleanneſs. Our Body is ſo much our own, as we may uſe it to God's Glory; and it is ſo little our own, as when he is pleaſed to have it, we do well in reſigning it to him, by what Officer ſoever he accept

(a) *Verſe* 19.

accept it, whether by Angel, Sickneſs, Perſecution, Magiſtrate, or our ſelves. Only be careful of this laſt Leſſon, in which he amaſſes and gathers all his former Doctrine, (*b*) [*Glorifie God in your Body, and in your Spirit, for they are his.*]

Sect. V.

The Place of the *Epheſians* hath ſome Affinity with this; which is, [*But let us follow the Truth in Love, and in all Things grow up into him, which is the Head, that is Chriſt, till we are all met together, unto a perfect Man.*] By which we receive the Honour to be one Body with Chriſt our Head; which is (*a*) after more expreſly declared, [*We are Members of his Body, of his Fleſh, and of his Bone.*] And therefore, they ſay, that to withdraw our ſelves, which are Limbs of him, is not only *Homicide* of our ſelves, who cannot live without him, but a *Parricide* towards him, who is our common Father. 1. Of the Place *Epheſ.* 4. 15, 16.

But as in Fencing, Paſſion lays a Man as open as Unskilfulneſs, and a troubled Deſire to hit, makes one not only miſs, but receive a Wound; ſo out of an inordinate Fervour, to ſtrike home, he which alledgeth this Place, over-reacheth to his own Danger; for only this is taught herein, that all our Growth and Vegetation flows from our Head, Chriſt. And that he hath choſen to himſelf for the Perfection of his Body, Limbs proportional thereunto, and that, as a Soul through all the Body, ſo this Care muſt live, and dwell in every

(b) *Verſ.* 20. (a) *Cap.* 5. *Verſe* 30.

very Part, that it be ever ready to do his proper Function, and alſo to ſuccour thoſe other Parts, for whoſe Relief or Suſtentation it is framed, and planted in the Body. So that herein there is no litteral Conſtruction to be admitted, as though the Body of Chriſt could be imperfected, by the removing of any Man. For, as from a Tree, ſome Leaves paſs their natural Courſe and Seaſon, and fall again being withered by Age, and ſome Fruits are gathered unripe, and ſome ripe, and ſome Branches which in a Storm fall off, are carried to the Fire: So in this Body of Chriſt, the Church, (I mean that which is viſible) all theſe are alſo fulfilled and performed, and yet the Body ſuffers no Maims, much leſs the Head and Detriment.

2. This Place gives Arguments to all which ſpare not themſelves for Relief of others.

This Place therefore is ſo far from giving Encouragement to any particular Man to be careful of his own Well-being, as the Expoſitors (of what Perſwaſion ſoever in controverted Points) accept from hence an Argument, that for the Eſtabliſhing, and Suſtentation of the whole Body, a Man is bound to depart with all Reſpects to himſelf, and give his Life to ſtrengthen them which are weak.

And this Place, as a common Conduit-head hath afforded Juſtification for Martyrdoms, for peſtilent Viſitations, and for all thoſe Deſertions of our ſelves, and of our natural Right of preſerving our ſelves, which we had occaſion to inſiſt upon before.

SECT.

Sect. VI.

As therefore that Conſtruction doth well conſiſt with thoſe Words, ſo doth it alſo with the Words in the next Chapter, [*No Man ever hated his own Fleſh, but nouriſhed it, &c.*] Of which Hate, becauſe we are to ſpeak when we come to Chriſt's Commandment of Hating our Life, we will here only ſay, with (*a*) *Marlorate* upon this Place, [*He hates not his Fleſh, who hates the Deſires thereof, and would ſubject it to the Spirit: No more than a Goldſmith hates that Gold, which he caſts into a Furnace to purifie, and reduce to a better Faſhion.*] And, becauſe out of the Armory of Scripture I have not found that they take any better Weapons, nor any more, we may here end this Diſtinction.

1. Of the Place Eph. 5.

2. How *Marlorate* expounds this Hate.

DISTINCTION IV.

Sect. I.

IN the next our Buſineſs is, to try of what Force and Proof their Arms are againſt their Adverſaries Forces. Of which we ſhall oppoſe Two Sorts; The firſt natural and aſſured Subjects, which are, Reaſons ariſing naturally from Places of Scripture, and theſe, in this Diſtinction; the other, Examples, as Auxiliaries. For though we rely not upon them,

1. Of Places of Scriptures on the other Part.

(a) *Marlor. in hunc locum.*

2. We may, but our Adverſaries may not make uſe of Examples, to which the Anſwer of *Martyr* and *Lavater* is weak.

them, yet we have this Advantage in that kind, that our Adverſaries can make no Uſe, nor Profit of Examples. And therefore that Anſwer which both *Peter Martyr*, and *Lavater* from him make, that we muſt not live by Examples, and that if Examples proved any thing they had the ſtronger Side, (that is, there have been more Men which have not killed themſelves, than which have,) may well ſeem from Peremptorineſs, and Lazineſs, and Impoſſibility of better Defence, to have too much Allay, to be currant. To prepare us therefore to a right Underſtanding, and Application of theſe Places of Scripture, we muſt arreſt a While upon the Nature, and Degrees, and Effects of Charity; the Mother, and Form of all Vertue; which ſhall not only lead us to Heaven, (for Faith opens us the Door) but ſhall continue with us when we are there, when both Faith and Hope are ſpent and uſeleſs.

3. The Nature, Degrees, and Effects of Charity.

4. S. *Auguſt.* Pourtraite of her.

We ſhall no where find a better Pourtraite of Charity, than that which St. *Auguſtine* hath drawn: She loves not that which ſhould not be loved; ſhe neglects not that which ſhould be loved; ſhe beſtows not more Love upon that, which deſerves leſs; nor doth ſhe equally love more and leſs Worthineſs; nor upon equal Worthineſs, beſtow more and leſs Love. (a) To this Charity the ſame bleſſed and happy Father, proportions this Growth [*Inchoated, increaſed, grown great, and perfected, and this laſt is*, ſaith he, *when in Reſpect of it, we contemn this Life.*] And yet he acknowledgeth a higher Charity than this. For (b) *P. Lom-*

(a) *De Natura & gratia, cap. ult.* (b) *Lomb.* l. 3. *Diſt.* 3.

P. Lombard allowing Charity this Growth, [*Beginning, profitient, perfect, more, and most perfect.*] He cites (c) St. *Auguſtine* who calls [*That perfect Charity to be ready to die for another.*] But when he comes to that, than which none can be greater, he ſays then, the Apoſtle came to (d) *Cupio diſſolvi.*

5. Of her higheſt Perfection, beyond that which *P. Lombard* obſerved out of *Aug.*

For, as (e) [*one may love God with all his Heart, and yet he may grow in that, and love God more with all his Heart, for* (f) *the firſt was commanded in the Law, and yet* (g) *Counſel of Perfection was given to him, who ſaid that he had fulfilled the Firſt Commandment*:] So as St. *Auguſtine* found a Degree above that Charity, which made a Man *Paratum ponere* which is *Cupere*, ſo there is a Degree above that, which is to do it.

6. He who loves God with all his Heart, may love him more.

This is that Vertue, by which (h) Martyrdom, which is not ſuch of it ſelf, becomes an Act of higheſt Perfection.

And this is that Vertue, which (i) aſſureth any Suffering which proceeds from it to be infallibly accompanied with the Grace of God. Upon Aſſuredneſs thereof, and Teſtimony of a rectified Conſcience, that we have a charitable Purpoſe, let us conſider how far we may adventure upon Authority of Scripture in this Matter which we have in Hand.

7. Any ſuffering in Charity hath infallibly the Grace of God. By *Aquin.*

(c) *In Epiſt. Jo. tract.* 5. (d) *Phil.* 1. 23. (e) *Serarius tribereſi.* l. 1. c. 8. (f) *Deut.* 6. 5. (g) *Mat.* 5. (h) *Aqui.* 22. *q.* 124. *ar.* 3. (i) *Aqui.* 22. *q.* 136. *ar.* 3.

Sect. II.

1. Of the Place 1 *Cor.* 13. 4.

First therefore, by the Frame and Working of St. *Paul*'s Argument to the *Corinthians*, [*Though I give my Body that I be burned, and have not Love, it profiteth nothing.*] Theſe Two Things appear evidently.

2. By this in common Reputation, that was a Degree of Perfection to die ſo. And Charity made it acceptable.

First, That in a general Nation and common Reputation, it was eſteemed a high Degree of Perfection to die ſo; and therefore not againſt the Law of Nature. And Secondly, by this Exception, (*without Charity*) it appears, that with Charity it might well and profitably be done.

3. *Paul* ſpeaks of a Thing which might lawfully be done, for ſuch are all his Gradations in this Argument.

For the Firſt, if any think that the Apoſtle here takes Example of an impoſſible Thing, as when it is ſaid, [*If an Angel from Heaven teach other Doctrine,*] he will, I think, correct himſelf, if he conſider the former Verſes, and the Apoſtle's Progreſs in his Argument; wherein to dignifie Charity, the moſt that he can, he undervalues all other Gifts, which were there ambitiouſly affected.

4. Tongues of Angels, in what Sence in this place.

For Eloquence he ſays, it is nothing to have all Languages, no not of Angels; which is not put literally, for they have none; but to expreſs a high Degree of Eloquence, as *Calvin* ſays here. Or, as *Lyra* ſays, by Language of Angels is meant, the Deſire of Communicating our Conceptions to one another. And then he adds, That Knowledge of Myſteries and Prophecies, is alſo nothing; which was alſo much affected. And for Miraculous Faith, it is alſo nothing.

Calvin.

For

For the firſt of theſe Gifts, doth not make a Man better; for *Balam*'s Aſs could ſpeak, and was ſtill an Aſs. And the ſecond, *Judas* had, and the *Phariſees*. And the third is ſo ſmall a Matter, that as much as a *Grain of Muſtard-ſeed is enough to remove Mountains*. All theſe therefore were feizable Things, and were ſometimes done. So alſo, after he had paſſed through the Gifts of Knowledge, and Gifts of Utterance, he preſents the Gifts of Working in the ſame Manner; and therefore, as he ſays, *If I feed the Poor with all my Goods*, (which he preſents as a harder Thing than either of the other, (for in the other God gives me, but here I give other) yet poſſible to be done.) So he preſents the laſt, *If I give my Body*, as the hardeſt of all, and yet, as all the reſt, ſometimes to be done.

5. Speech in the Aſs, underſtanding of Myſteries in *Judas*, miraculous Faith make not the Poſſeſſor the better.

That which I obſerved ſecondly to ariſe from this Argument, was, That with Charity ſuch a Death might be acceptable. And though I know the *Donatiſts* are ſaid to have made this Uſe of theſe Words, yet, becauſe the Intent and End conditions every Action, and infuſes the Poyſon, or the Nouriſhment which they which follow ſuck from thence, and we know that the *Donatiſts* rigorouſly and tyranniouſly racked and detorted thus much from this Place, That they might preſent themſelves to others promiſcuouſly to be killed, and if that were denied them, they might kill themſelves, and them who refuſed it.

6. How I differ from the *Donatiſts* arguing from this place, that in Charity *Self-homicide* was always lawful.

Yet, I ſay, I doubt not but thus much may naturally be collected from hence, that by this Word, *If I give my Body*, is inſinuated ſomewhat more than a prompt and willing

7. To give my Body, is more than to let it be taken.

yielding of it, when I am enforced to it, by the Perſecuting-Magiſtrate.

Metaph. in Nicepb. Martyr. 8. How *Nicephorus* the Martyr gave his Body in *Sapritius*'s room, who recanted.

And that theſe Words will juſtifie the Fact of the Martyr *Nicephorus*, being then in perfect Charity. Whoſe Caſe was, That having had ſome Enmity with *Sapritius*, who was brought to the Place where he was to receive the bloody Crown of Martyrdom, he fell down to *Sapritius*, and begged from him then, a Pardon of all former Bitterneſſes. But *Sapritius* elated with the Glory of Martyrdom, refuſed him; but was preſently puniſhed; for his Faith cool'd, and he recanted and lived. And *Nicephorus* ſtanding by, ſtepped into his Room, and cried, I am alſo a Chriſtian, and ſo provoked the Magiſtrate to execute him; leſt from the Faintneſs of *Sapritius*, the Cauſe might have received a Wound, or a Scorn. And this I take to be *Giving of his Body*.

9. There may be a Caſe, that a Man bound to give his Body, cannot do it otherwiſe than by *Self-homicide*.

Of which, as there may be ſuch Neceſſity for Confirming of weaker Chriſtians, that a Man may be bound to do it, as in this Caſe, is very probable. So there may be Caſes in Men very exemplary, and in the cunning and ſubtle Carriage of the Perſecutor, as one can no other way give his Body for Teſtimony of God's Truth, to which he may then be bound, but by doing it himſelf.

SECT. III.

1. Of the Places *Job.* 10. 11. & *Joh.* 15. 13.

As therefore naturally and cuſtomarily Men thought it good to die ſo, and that ſuch a Death with Charity was acceptable; ſo is it generally ſaid by Chriſt, [*That the good Shepherd doth give his Life for his Sheep.*] Which is a Ju-

a Juſtifying and Approbation of our Inclination thereunto. For to ſay, the Good do it, is to ſay, they which do it are good.

2. I need not purge my ſelf, when another's Crime is imputed to me.

And as we are all Sheep of one Fold, ſo in many Caſes, we are all Shepherds of one another, and owe one another this Duty, of giving our Temporal Lives for another's Spiritual Advantage; yea, for his Temporal. For (*a*) that I may abſtain from purging my ſelf, when another's Crime is imputed to me, is grounded upon ſuch another (*b*) Text as this; where it is ſaid, *The greateſt Love, is to beſtow his Life for his Friend.* In which, and all of this kind, we muſt remember, that we are commanded to do it ſo, as Chriſt did it; and how Chriſt gave his Body, we ſhall have another place to conſider.

Sect. IV.

1. Of the Place *John* 13. 37.

2. *Peter's* Readineſs was natural, *Paul's* deliberate.

Hereupon, becauſe St. *Peter's* Zeal ſo forward, and carried him ſo high, that he would die for the Shepherd; for ſo he ſays, [*I will lay down my Life, for thy ſake.*] And this, as all Expoſitors ſays, was meerly and purely out of natural Affection, without Examination of his own Strength to perform it; but preſently and roundly Nature carried him to that Promiſe. And upon a more deliberate and orderly Reſolution, (*a*) St. *Paul* witneſſeth of himſelf ſuch a Willingneſs to die for his Brethren, [*I will be gladly beſtowed for your Souls.*]

(a) *Sot. de reg. Secret. Memb.* 1. q. 3. (b) *Joh.* 15. 13.
(a) 2 *Cor.* 12. 15.

Sect. V.

1. Of the Place *Joh.* 10. 15.

A Chriſtian Nature reſts not in knowing thus much, That we may do it, that Charity makes it good, that the Good do it, and that we muſt always promiſe, that is, encline to do it, and do ſomething towards it, but will have the perfect Fulneſs of doing it in the Reſolution and Doctrine, and Example of our bleſſed Saviour, who ſays, *de Facto*, [*I lay down my Life for my Sheep.*] And ſaith *Muſculus*, he uſeth the preſent Word, becauſe he was ready to do it: And as (*a*) *Paul* and *Barnabas*, Men yet alive; are ſaid to have laid down their Lives for Chriſt. But I rather think, (becauſe expoſing to Danger, is not properly call'd a Dying,) that Chriſt ſaid this now, becauſe his Paſſion was begun; for all his Converſations here were Degrees of Exinanition.

2. Why Chriſt ſays this in the preſent time.

3. Of the abundant Charity of Chriſt.

To expreſs the abundant and overflowing Charity of our Saviour, all Words are defective; for if we could expreſs all which he did, that came not near to that which he would do, if need were. It is obſerved by (*b*) one, (I confeſs too credulous an Author, but yet one that adminiſters good and wholeſome Incitements to Devotion,) That Chriſt going to *Emaus* ſpake of his Paſſion ſo ſlightly, as tho' he had in Three Days forgot all that he had ſuffered for us.

4. Of his Speech going to *Emaus*.

5. Of his Apparition to St. *Charles*.

And that Chriſt in an Apparition to St. *Charles*, ſays, That he would be content to die again, if need were.

Yea,

(a) *Acts* 15. 26. (b) *De Suidone. p.* 1. *Notæ in Ca.* 11.

Yea, to (*c*) St. *Brigit* he ſaid, [*That for any one Soul he would ſuffer as much in every Limb, as he had ſuffered for all the World in his whole Body.*] 6. Of the Revelation to St. *Brigit*.

And (*d*) this is noted for an extream high Degree of Charity, out of *Anſelme*, that his B. Mother ſaid, [*Rather than he ſhould not have been Crucified, ſhe would have done it with her own Hands.*] 7. Of his Mother's Charity.

And certainly his Charity was not inferior to hers; He did as much as any could be willing to do. And therefore, as himſelf ſaid, [*No Man can take away my Soul:*] And [*I have Power to lay it down:*] So, without doubt, no Man did take it away, nor was there any other than his own Will the Cauſe of his dying at that time; many Martyrs having hanged upon Croſſes many Days alive; and the Thieves were yet alive; and therefore (*e*) *Pilate* wondred to hear that Chriſt was dead. [*His Soul*, ſaith (*f*) St. *Auguſt. did not leave his Body conſtrained, but becauſe he would, and when he would, and how he would.*] Of which (*g*) St. *Thomas* produces this Symptom, That he had yet his Body's Nature in her full Strength, becauſe at the laſt Moment he was able to cry with a loud Voice. And (*h*) *Marlorate* gathers it upon this, that whereas our Heads decline after our Death by the Slackneſs of the Sinews and Muſcles, Chriſt did firſt of himſelf bow down his Head, and then give up the Ghoſt. So, tho' it be truly ſaid, (*i*) [*After they have ſcourged him, they will put him to*

8. That none could take away his Soul.

9. His own Will the only Cauſe of his dying ſo ſoon, by St. *Auguſtine*.

10. And by *Aquin.* becauſe he had all his Strength.

11. And by *Marlorate*, becauſe he bowed his Head, and it fell not, as ours in death.

12. How it is true that the *Jews* put him to death.

(c) *Revel. Brig.* l. 1. c. 59. (d) *Suidon*, p. 1. *Not. in Ca.* 16. (e) *Mar.* 15. (f) *De Trinit.* lib. 1. cap. 13. (g) 3. *Q.* 47. *Ar.* 1. *ad* 2. (h) *Mat.* 27. 50. (i) *Luc.* 18. 33.

to death;] yet it is ſaid ſo, becauſe malitiouſly and purpoſely to kill him, they inflicted thoſe Pains upon him; which would in time have killed him, but yet nothing which they had done occaſioned his Death ſo ſoon.

13. Of *Aquin.* and *Sylveſter*'s Opinion of him.

And therefore (*k*) St. *Thomas*, a Man neither of unholy Thoughts, nor of bold or irreligious, or ſcandalous Phraſe or Elocution; (yet I adventure not ſo far in his behalf, as (*l*) *Sylveſter* doth, [*That it is impoſſible that he ſhould have ſpoken any thing againſt Faith or good Manners,*] forbears not to ſay, [*That Chriſt was ſo much the Cauſe of his Death, as he is of his wetting, which might and would not ſhut the Window when the Rain beats in.*]

14. Chriſt was ſo the Cauſe of his Death, as he is of his wetting, which might and doth not ſhut the Window in Rain, by *Aqui.*

This actual Emiſſion of his Soul, which is Death, and which was his own Act, and before his natural Time, (*m*) which his beſt beloved Apoſtle could imitate, who alſo died when he would, and went into his Grave, and there gave up the Ghoſt, and buried himſelf, which is reported but of very (*n*) few others, and by no very credible Authors,) we find thus celebrated, (*o*) That that is a brave Death, which is accepted unconſtrained; and that it is an Heroick Act of Fortitude, if a Man when an urgent Occaſion is preſented, expoſe himſelf to a certain and aſſured Death, as he did.

15. Who imitated Chriſt in this actual Emiſſion of the Soul.

16. Upon what Reaſons this Faſhion of Dying in Chriſt is call'd Heroick, and by like Epithites.

And it is there ſaid, that Chriſt did ſo, as *Saul* did, who thought it foul and diſhonourable to die by the Hand of an Enemy. And that *Apollonia*, and others who prevented the

17. Chriſt is ſaid to have done herein as *Saul* and *Apol.* and ſuch.

Fury

(k) 2. Q. 47. *Ar.* 1. *Con.* (l) *Verbo matrimonium.* (m) *Aquin. ſupr. Job.* cap. 21. (n) *Sophon. prat. ſpir. cap.* 90. *depbter. Anco. Et Surius To.* 1. *feb. de Seuer. Raven.* (o) *Sind. Not. in* c. 21. *ad* 6.

Fury of Executioners, and caſt themſelves into the Fire, did therein imitate this Act of our Saviour, of giving up his Soul, before he was conſtrained to do it. So that if the Act of our bleſſed Saviour, in whom there was no more required for Death, but that he ſhould will that his Soul ſhould go out, were the ſame as *Saul*'s, and theſe Martyrs actual Furtherance, which could not die without that, then we are taught that all thoſe Places, of *Giving up our Bodies to Death*, and of *Laying down the Soul*, ſignifie more than a Yielding to Death when it comes.

Sect. VI.

And to my Underſtanding there is a further Degree of Alacrity, and Propenſeneſs to ſuch a Death, expreſſed in that Phraſe of *John*, [*He that hateth his Life in this World, ſhall keep it unto Life Eternal.*] And in that of *Luke*, [*Except he hate his own Life, he cannot be my Diſciple.*] Such a Lothneſs to live is that which is ſpoken of in the *Hebrews*, (a) [*Some were rack'd, and would not be delivered, that they might receive a better Reſurrection.*]

1. Of the Places *John* 12. 25. & *Luc.* 14. 26.

This Place (b) *Calvin* interprets, of a Readineſs to die, and expreſſes it elegantly, To carry our Life in our Hands, offering it to God for a Sacrifice. And this (c) the *Jeſuits* in their Rule extend thus far, [*Let every one think that this was ſaid directly to him, Hate thy Life.*]

2. Jeſuits apply particularly this Hate.

And

(a) Heb. 11. 35. (b) *In* Joh. 12. 25. (c) *Reg. Jeſuit. Conſtit. Spirit.* 8.

3. If the other Place, no Man hates his own Flesh, be against *Homicide*; this must be for it.

And they who in the other Place, accept this Phrase, *No Man hateth his own Flesh*, to yield an Argument against *Self-homicide* in any Case, must also allow that the same Hate being commanded here, authorizes that Act in some Case.

4. S. *August.* denies that this place justifies the Donatists, but not in all Cases.

And St. *Augustine* apprehending the Strength of this Place, denies that by the Authority of it, the *Donatists* can justifie their *Self-homicide* when they list to die, but yet in these Cases which are exempt from his Rules; this Place may encourage a Man not to neglect the Honour of God, only upon this Reason, that no Body else will take his Life.

Sect. VII.

1. Of the Place 1 *Joh.* 3. 16.

And therefore the Holy Ghost proceeds more directly in the First Epistle of St. *John*, and shews us a necessary Duty, [*Because he laid down his Life for us, therefore we ought to lay down our Lives for our Brethren.*] All these Places work us to a true Understanding of Charity, and to a Contempt of this Life, in Respect of it.

2. All these Places direct us to do it, as Christ did it, unconstrained.

And as these inform us how ready we must be, so all those Places which direct us by the Example of Christ, to do it as he did, shew, that in Cases when our Lives must be given, we need not ever attend extrinsick Force of others, but as he did in perfect Charity, so we in such Degrees of it, as this Life, and our Nature are capable of, must die by our own Will, rather than his Glory be neglected, whensoever, (*a*) as *Paul* saith, *Christ may be mag-*

(a) *Phil.* 1. 20.

magnified in our Bodies, or the Spiritual Good of ſuch another as we are bound to advance, doth importune it.

Sect. VIII.

To which Readineſs of Dying for his Brethren, St. *Paul* had ſo accuſtomed himſelf, and made it his Nature, that but for his general Reſolution of doing that ever which ſhould promote their Happineſs, he could ſcarce have obtain'd of himſelf Leave to live. For, at firſt he ſays, he knew not which to wiſh, Life, or Death; (and therefore generally without ſome Circumſtance incline or avert us, they are equal to our Nature.) Then after much Perplexity, he was reſolved, and deſired to be looſe, and to be with Chriſt; (therefore a holy Man may wiſh it.) But yet he corrected that again, becauſe ſaith he, [*To abide in the Fleſh, is more needful for you.*] And therefore Charity muſt be the Rule of our Wiſhes, and Actions in this Point.

1. Of the Place *Phil.* 1. 23.

2. Of S. *Paul's* Gradations to this Wiſh, and his correcting of it.

Sect. IX.

There is another Place to the *Galatians*, which though it reach not to Death, yet it proves that holy Men may be ready to expreſs their Loves to another, by Violence to themſelves. For he ſaith, [*If it had been poſſible, you would have plucked out your own Eyes, and given me:*] And *Calvin* ſaith, [*This was more than* Vitam profundere.] And this Readineſs St. *Paul* reprehends not in them.

1. Of the Place *Gal.* 4. 15.

2. This was more than *vitam profundere*, by *Calvin*.

Sect.

Sect. X.

1. Of the Place *Rom.* 9. 3.

But of the higheſt Degrees of compaſſionate Charity for others, is that of the Apoſtle, in Contemplation of the *Jews* Dereliction, [*I would wiſh my ſelf to be ſeparated from Chriſt, for my Brethren.*]

2. That this *Anathema* was Damnation.

The Bitterneſs of which Anathema, himſelf teaches us to underſtand, when in (*a*) another Place, he wiſhes the ſame, [*To thoſe which love not Jeſus Chriſt.*] And this fearful Wiſh which Charity excuſed in him, was utter Damnation, as all Expoſitors ſay.

3. That he conſidered not his Election at that time.

And though I believe with *Calvin*, that at this Time, in a zealous Fury he remembred not deliberately his own Election, and therefore cannot in that Reſpect, be ſaid to have reſiſted the Will of God; yet it remains, as an Argument to us, That Charity will recompence, and juſtifie many Exceſſes, which ſeem unnatural, and irregular, and enormous Tranſportations.

Sect. XI.

1. Of the Place *Exod.* 32. 31.

As in this Apoſtle of the *Gentiles*, ſo in the Law-giver of the *Jews*, the like Compaſſion wrought the like Effect; and more. For *Moſes* reſted not in Wiſhing, but Face to Face argued with God, [*If thou pardon them, thy Mercy ſhall appear, but if thou wilt not, I pray thee blot my Name out of the Book which thou haſt written.*

2. That this Imprecation was not only to be blotted out of the Hiſtory of the Scriptures.

I

(a) 1 *Cor.* 16. 22.

I know, that many out of a reaſonable Collection, that it became *Moſes* to be repoſed, and diſpaſſioned, and of ordinate Affections in his Converſation with God, are of Opinion, that he ſtrayed no further in this Wiſh, and Imprecation, than to be content that his Name ſhould be blotted out of the Scriptures, and ſo to loſe the Honour of being known to Poſterity for a remarkable Inſtrument of God's Power and Mercy.

But, ſince a natural Infirmity could work ſo much upon Chriſt, in whom there may be ſuſpected no Inordinateneſs of Affections, as to divert him a little, and make him ſlip a faint Wiſh of eſcaping the Cup; why might not a brave and noble Zeal, exalt *Moſes* ſo much, as to deſire to reſtore ſuch a Nation to the Love of God, by his own Deſtruction.

3. It was ſtranger that Chriſt ſhould admit ſuch a Slip downward, as to wiſh an Eſcape from Death, than that *Moſes* ſhould have ſuch an Exaltation upward as to ſave his Nation by periſhing. Yet both without Inordinateneſs.

For, as certainly the firſt of theſe was without Sin, ſo the other might be, out of an habitual Aſſuredneſs of his Salvation, as (a) *Paulinus* ſays to *Amandus*, [*Thou mayeſt be bold in thy Prayers to God for me, to ſay, forgive him, or blot out me, for thou canſt not be blotted out:* Juſtum delere non poteſt Juſtitia.] And thus retaining ever in our Minds, that our Example is Chriſt, and that he died not conſtrained, it ſhall ſuffice to have learned by theſe Places, that in Charity Men may die ſo, and have done, and ought to do. The laſt Thing which remains yet, is to conſider the Example reported in the Scriptures: Which cannot poſſeſs us long; becauſe a few Rules will include many Examples; and thoſe few Rules which are appliable to theſe Hiſtories, have

4. How by *Paulinus* a juſt Man may ſafely ſay to God, *Dele me.*

(a) *Pont. Paul. ad Amand. Epiſt.* 2.

have been often iterated already; and, for other Rules, which may enlighten and govern us in all Occurrences, for many Reaſons I reſpite to a maturer Deliberation and Diſcourſe.

DISTINCTION V.

SECT. I.

1. Of Examples in Scriptures.

AS when I entred into the Examination of Places of Scriptures, it ſeemed to me to have ſome Weight, that in all the Judicial and Ceremonial Law, there was no Abomination of *Self-homicide*.

2. The Phraſe of Scriptures never imputes this Act to any as a Sin, when it relates the Hiſtory.

So doth it, that in relating the Hiſtories of them who killed themſelves, the Phraſe of Scripture never diminiſhes them by any Aſperſion or Imputation for that Fact, if they were otherwiſe vertuous, nor aggravates thereby their former Wickedneſs, if they were wicked.

3. *Irenæus* forbids us to accuſe where God doth not.

For my part, I am content to ſubmit my ſelf to that Rule, which is delivered from (*a*) *Irenæus*, [*That thoſe Things which the Scripture doth not reprehend, but ſimply lay down, it becomes not us to accuſe; nor to make our ſelves more diligent than God; but if any thing ſeem to us irregular, our Endeavour muſt be, to ſearch out the Type and Signification thereof.*]

4. *Beza*'s Anſwer to Ochin's Reaſon, that ſome Patriarchs lived in Polygamy reacheth not our Caſe.

Neither ſhall I, for all this, be in Danger of (*b*) *Beza*'s Anſwer to that Argument of *Ochinus*,

(a) *Schultet. Medul. patr. p.* 1. *in l.* 4. *Irenæi.* (b) *Beza de Polyg. fo.* 7.

Ochius, That though ſome of the Patriarchs lived unreprehended in Polygamy, it concluded nothing, becauſe (ſaith *Beza*) The Silence of Scripture in (*c*) *Jacob*'s Inceſt, and in (*d*) *Lot*'s, and in (*e*) *David*'s unjuſt Judgment: For *Siba* doth not deliver them from Guiltineſs and Tranſgreſſion therein.

For our Caſe differs from all others, both becauſe this Act is not from any Place of the Law evicted to be Sin. And becauſe here is a Concurrence of Examples, of this Fact without any Reprehenſion: So that that Anſwer is ſo far ſhort from reaching us, that it reached not home to that Argument of *Ochius* againſt which it was oppoſed. And if in debating theſe Examples, it be found, that ſome very reverend Authors, have concluded Impenitence, and conſequently utter Deſertion on God's Part, and ſo eternal Periſhing; the Circumſtances as they appeared to him then, may have made his Judgment juſt: But for any other thereupon to apply that Caſe to others, will not be ſafe. For (*f*) [*Though a Judge may* In Cauſa verſanti *interpret the Law, that Interpretation makes not Law.*]

5. For it is not evident, that this is Sin, by any other place of the Law; which was in all his Caſes. And here many Examples concur.

Sect. II.

As therefore in the former Diſtinctions we ſpoke of ſome Approaches to the Act of Self-killing, ſo will we in this pauſe a very little upon two ſuch Steps. (*a*) The firſt ſhall be of the Prophet in the Book of *Kings*, [*Who had a Stranger ſtrike him, and becauſe he would not pro-*

1. Of Acts which were not fully Self-murders, but Approaches.

(*c*) *Gen.* 29. (d) *Gen.* 19. (e) 2 *Sam.* 9. 2. (*f*) *Aeacius de Privileg.* l. 1. c. 3. (a) 1 *Kg.* 20. 35.

nounce a heavy Judgment upon him, which was preſently executed. And then he importuned another to do it, who did it throughly, for he wounded him with the Stroak.] This was, to common Underſtanding, an unnatural Thing, that ſo holy a Man ſhould make ſuch Means to have his Body violated; and ſo it ſeems the firſt apprehended it, however it pleaſed God to enlighten the ſecond. This I produce, not as though the Prophet inclined to it of his own Diſpoſition, for it is expreſly in the Text, that God commanded him to do it.

2. Of the Prophet who puniſhed him who would not ſtrike him.

But becauſe this is the only Place in all the Scriptures, where thoſe which offer, or deſirouſly admit Violence to their own Bodies, are ſaid to have done it, by the expreſs Motion of God, I collect from it, that it is not without ſome Boldneſs, if others affirm without Authority of the Text, that the Death of *Sampſon* and others, had the ſame Foundation when it appears by this, that God when he would have it underſtood ſo, is pleaſed to deliver it plainly and expreſly.

3. That when God invites Men to ſuch Violence, he ſays ſo plainly. And therefore ſuch particular Invitations may not be preſumed, where they are not expreſſed.

Sect. III.

1. Of *Jonas.*

The next before we come to thoſe who entirely killed themſelves, is *Jonas*, who by often wiſhing his own Death, and moving the Marriners to caſt him out into the Sea, made many Steps towards the very Act. I know that it is every-where ſaid, that thoſe Words, (*a*) [*Take me and caſt me into the Sea,*] proceeded from a prophetick Spirit. And (*b*) St. *Hierome* ſaith, [*That in this prophetick Spirit, he*

(a) 1. 12. (b) *Procm. in Com. in Jonas.*

he foreſaw that the Ninivites *would repent, and ſo his Preaching would be diſcredited.*] But if this be ſo, muſt he not alſo in the ſame prophetick Spirit ſee, that their Repentance muſt be occaſioned by his going thither and preaching there? And if this perſwading to his Deſtruction, being now innocent in their Underſtanding; for they prayed, [*Lay not innocent Blood upon us.*] Were from Divine Motion, ſhall we dare to impute alſo to like Motions and Spirit, his angry importuning of Death? [*Take I beſeech thee, my Life from me, for it is better for me, to die than to live.*] And after he wiſhed from his Heart to die, and ſaid, [*I do well to be angry unto the Death.*] Verſ. 14. 43. 9.

(c) St. *Hierome* calls him *Sanctum Jonum*; and when *Lyra* obſerves that he had not done ſo, to any of the other Prophets, he concludes, that this Teſtimony needed moſt in *Jonas*, who by his many Reluctations againſt God's Will, might elſe fall into ſome Suſpicion of eternal Periſhing. Which ſince we muſt be far from fearing in ſo eminent and exemplary a Type of Chriſt, and yet have no Ground to admit any ſuch particular Impulſion of God's Spirit, as *Hierome* and *Lyra* pronounce him holy, for all theſe Reluctations; ſo may we eſteem him adviſed, and ordinate, and rectified, for all theſe Approaches, which in wiſhing and conſenting he made to his own Death.

2. Why St. *Hierome* calls only *Jonas*, of all the Prophets, Holy.

(c) *Lyra prolog. in Jona.*

Sect. IV.

1. Of *Samſon Judg.* 16.

Of thoſe which in the Scriptures are regiſtred to have killed themſelves, *Sampſon* is the firſt. A Man ſo exemplar, that not only the Times before him had him in Prophecy, (a) (for of him it is ſaid,) [Dan *ſhall judge his People*,] and the Times after him more conſummately in Chriſt, of whom he was a Figure, but even in his own Time, other Nations may ſeem to have had ſome Type, or Copy of him, in *Hercules*.

2. The Chur. celebrates him as a Martyr.

His Fact of Self-killing is celebrated by the Church to everlaſting Memory, as the Act of a Martyr; and as very many others in their Homilies and Expoſitions.

3. *Paulinus* wiſhes ſuch a Death.

So that renowned (b) *Paulinus* ſays, [*God ſend me the Death of* Sampſon, *and* Sampſon's *Blindneſs, that I may live to God, and look to God.*]

4. They which deny that he meant to kill himſelf, are confuted by the Text.

And this general Applauſe and Concurrence in the Praiſe of the Fact, hath made many think, or at leaſt write, that he purpoſed not to kill himſelf: Being loth either to depart from their Opinion who extol him, or to admit any thing which may countenance that Manner of Dying. Of which Perſwaſion (c) Two very learned Men labour to ſeem to be.

But, beſides that ſuch an expoſing of himſelf to unevitable Danger, is the ſame Fault as *Self-homicide*, when there is any Fault in it, the

(a) *Pererius in Gen.* 49. 16. (b) *Paul. Sever. Epiſt.* 4. (c) *Fran. de Vict. in relect. de Hom. Greg. Valent. Tom.* 3. *Diſp.* 5. *q.* 8. *p.* 1.

the very Text is againſt them; for *Sampſon* died with theſe Words in his Mouth, (*d*) [*Let me loſe my Life with the Philiſtines.*]

And though ſometimes theſe Authors add, That he intended not his own Death principally, but accidentally (as *Calvin* alſo ſays, that St. *Paul* did not deſire Death for Death's ſake, but to be with Chriſt,) this can remove no Man from our Side; for we ſay the ſame, that this may be done only, when the Honour of God may be promoted by that Way, and no other.

5. They which ſay he did not intend his own Death principally ſay the ſame as we. *Supra.*

Therefore to juſtifie this Fact in *Sampſon*, (*e*) St. *Auguſtine* equally zealous of *Sampſon*'s Honour, and his own Conſcience, builds ſtill upon his old Foundation, [*That this was by the ſpecial Inſpiration from God.*] Which, becauſe it appears not in the Hiſtory, nor lies in Proof, may with the ſame Eaſineſs be refuſed, as it is preſented.

6. That St. *Auguſt.* his Anſwer to this Fact, that it was by ſpecial Inſtinct, hath no Ground in the Hiſtory.

To give Strength to this Opinion of *Auguſtine*, (*f*) our Country-man *Sayr* preſents one Reaſon preceding the Fact, and (*g*) *Pedraca* the *Spaniard*, another Subſequent.

7. Of *Sayr*'s Reaſons in Confirmation of *Aug.* that *Sampſon* pray'd.

The firſt is, that he prepared himſelf to it by Prayer. But in this Prayer you may obſerve much Humanity, and Weakneſs, and Self-reſpect. [*O Lord*, ſaith he, *I beſeech thee, ſtrengthen me at this Time only, that I may be avenged of the* Philiſtines *for my Two Eyes.*

(d) *Jud.* 16. 30. (e) *Aug. de Civit. Dei*, cap. 12. (f) *Sayr. Theſau. Caſ. Conſc.* lib. 7. cap. 9. num. 9. (g) *Pedr. Pr.* 5. *Hiſp.*

8. Of *Pedr.* his Reaſon, that it was againſt the Work of God, becauſe it was done as it was deſired.

The ſecond Reaſon is, that becauſe he effected that which he deſired, it is to be preſumed, that God reſtored him his Strength to that End, which he asked it. But, beſides that in the Text it appears, that (*h*) his Hair before that Time, was begun to be grown out again, and ſo his Strength ſomewhat renewed; doth this prove any Impulſion, and Incitement, and Prevention of the Holy Ghoſt, to that particular Act, or rather only an habitual Accompanying and Awaking him, to ſuch Actions by which God might be honoured and glorified, whenſoever any Occaſion ſhould be preſented?

9. That he had as much Reaſon, and Authority to kill himſelf as to kill the *Philiſtines*, and that it was only the Glory of God.

When therefore he felt his Strength in Part refreſhed, and had by Prayer intreated the Perfecting thereof, ſeeing they took continual Occaſion from his Dejection to ſcorn and reproach his God, burning with an equal Fervour to revenge their double Fault, and to remove the wretched Occaſion thereof, he had (*i*) as a very ſubtle Author ſays, the ſame Reaſon to kill himſelf, which he had to kill them, and the ſame Authority, and the ſame Priviledge, and Safeguard from Sin.

10. *Sampſon* in this manner of dying was a Type of Chriſt.

And he died, as the ſame Man ſays, with the ſame Zeal to Chriſt, unconſtrained; for, (*k*) *In this Manner of Dying, as much as in any Thing elſe, he was a Type of Chriſt.*

SECT.

(h) *Ver.* 22. (i) *Fra. Georg. Probl.* 438. (k) *Perer. in* Gen. 49. 16.

Sect. V.

The next Example is *Saul*. And whether he did perfect and conſummate the Act of killing himſelf, or the *Amalekite* contribute his Help, it makes no difference to our Purpoſe; but that the latter was true, may well enough conſiſt with the Relation of the Hiſtory in the (*a*) firſt place, and it appears to be the more likely and probable out of the (*b*) ſecond: And by (*c*) *Joſephus* it is abſolutely ſo delivered; and the (*d*) Scholaſtick Hiſtory ſaith alſo, that *Saul* was too weak to force the Sword through his Body.

1. Of *Saul*, 1 Sam. *ult.*

2. Whether the *Amalekite* did help to kill *Saul*.

Two Things uſe to be diſputed of *Saul*: Whether he were ſaved or no: And whether if he periſhed, it was for Impenitence teſtified or preſumed by this Act of his. The *Jews* are generally indulgent to him: And the Chriſtians generally ſevere upon this Reaſon, that it is ſaid of him, (*e*) [Saul *died for his Tranſgreſſions againſt the Lord, and his Word, and asking Counſel of a Witch.*] But this doth not neceſſarily conclude an Impenitence, or a ſecond Death. For the *Jews* ſay, That believing the Sentence of *Samuel* in the Apparitions, and accepting that Decree as from God, he repented his former Life, and then preſented and delivered up himſelf and his Sons, conformably to the revealed Will of God, there in the Field to be ſacrificed to him: Underſtanding *Samuel*'s Words you ſhall be with me, to be ſpoken, not generally

3. Whether *Saul* be ſaved or no.

(a) 1 Sam. *ult.* (b) 2 Sam. 1. (c) *Antiq.* l. 7. c. 15. (d) *Hiſt. Schol.* (e) 1 Chron. 10. 13.

of the State of the Dead, but of the State of the Juſt, becauſe both *Samuel* himſelf was ſo, and ſo was *Jonathan*, whoſe Condition in this Promiſe of being with *Samuel*, was the ſame as his Fathers. And therefore ſaith *Lyra*, [*All Jews, and ſome Chriſtians agree, that leſt by his Reproach diſhonour might redound upon God, a good and zealous Man may kill himſelf, as* Samſon *did, and the Virgins.*] And he addeth, [*If other Reaſons were not ſufficient to excuſe* Saul, *this alſo might juſtly be applied to him, that he did it by divine Inſtinct.*]

Lyra.

4. In what Caſes the *Jews*, and *Lyra* confeſs that a Man may kill himſelf.

5. *Lyra*'s Reaſons why *Saul* is to be preſumed to have died well.

Out of which I obſerve theſe Two Things, that he preſumes there are other Reaſons ſufficient in ſome Caſes, whether they were in *Saul*'s Caſe or no. And then the Reaſon which *Lyra* preſumes he died well, [*becauſe the contrary is not declared in Scriptures, nor determined by the Church.*] And *Saul* hath a good Teſtimony of Sanctity in this Act, from (*f*) *Mallonius*, [*That as Chriſt died when he would, ſo did* Saul, *thinking it diſhonourable to die by the Hand of his, and God's Enemies.*] That Argument which *Burgenſis* bringeth to the Contrary, ſuffereth more Force and Violence in being brought in, than it giveth Strength to his Opinion. It is, [*That if the Fact were juſtifiable in* Saul, *it had been ſo too in the* Amalekite, *if his Profeſſion to* David *were true, That he had killed* Saul; *and conſequently* David *unjuſt in that Execution.*] But, beſides that, that *Amalekite* had no Conſcience, nor inward Knowledge of *Saul*'s juſt Reaſons, nor other warrant but his Commandment, which might, and was to him likely to proceed from

6. *Burgenſis* Reaſon to the contrary, that if *Saul* were excuſable, the *Amalekite* was ſo to.

(*f*) *Nota in Sindon.* c. 21. n. 6.

from *Saul*'s Infirmities, it might well appear to *David*, by his coming to tell him the News, that he had Humane Reſpects in doing it, and a Purpoſe only to deſerve well of *David*. And when both Judge and Priſoner are innocent, oft-times the Executioner may be a Murtherer.

And ſuch Humane Reſpects of Wearineſs and Deſpair, and Shame, and Fear, and Fidelity to his Maſter, and Amazement, and ſuch, ſtand in the Way between *Saul*'s Armour-bearer and all Excuſes, to our Underſtandings. For tho' the Phraſe of Scripture impute nothing to him for that Fact of killing himſelf, yet I have found none that offer any particular Excuſe in his Defence. 7. Of *Saul*'s Armour-bearer.

Sect. VI.

Neither do I find any thing to excuſe *Achitophel*'s Death; tho' (as I ſaid of the other) the Hiſtory do not accuſe that particular Fact. The Text calls his Counſel good, and it ſeems he was not tranſported with Paſſion, becauſe he ſet his Houſe in order; and he was buried in his Father's Grave, when *Abſalon* ſlain by another's Hand was caſt into a Pit. 1. Of *Achitophel*, 2 Sam 15. *Ver.* 14. 2. He ſet his Houſe in order, and he was buried.

But if it were upon a meer Diſpute of his own Diſgrace, or Fear of ill Succeſs, or upon any Self-reſpect, without propoſing God's Glory, and he repented not, he periſhed.

Sect.

Sect. VII.

1. Of *Judas*, *Mat.* 27. 5. *Acts* 1. 18.

Of *Judas*, the moſt ſinful Inſtrument of the moſt merciful Work, the common (tho' not general) Opinion is, that he killed himſelf; but whether by Hanging, or no, is more controverted.

For from the Words in the (*a*) *Acts*, [*That he threw himſelf down headlong, and burſt aſunder, and his Bowels guſhed out.*] (*b*) *Euthymius* thinks, that he was reſcued whilſt he hanged, and carried away, and that after that he killed himſelf by throwing himſelf headlong.

And (*c*) *Brentius* leaves that indifferent to us, to think what we will thereof. But it ſeems by (*d*) *Oecumenius*, that he did not only over-live this Hanging, but that he grew to ſo enormous a Bigneſs, and Burden to himſelf, that he was not able to withdraw himſelf out of a Coach's way, but had his Guts cruſhed out ſo; which he receives from *Papias* the Diſciple to St. *John*, whoſe Times cannot be thought ignorant, or incurious of *Judas*'s Hiſtory.

2. He died not by hanging himſelf, in the Opinion of *Euthymius*, *Oecum. Papias* St. *John*'s Diſciple, and *Theoph.*

And it is there ſaid further, that by others it was ſaid, that being ſwoln to that Vaſtneſs, and corrupted with Vermine, he laid himſelf down upon his Field, and there his Guts broke out. And this (*e*) *Theophilact* follows.

And

(a) *Acts* 1.18. (b) *Euthym. in Com. in Matt.* (c) *Brent. in Act.* 1.18. (d) *Oecum. in Collect. Act. Apoſt.* (e) *Theophilact in Matt.* 7.

And it falls out very often, that ſome one Father, of ſtrong Reputation and Authority in his time, doth ſnatch and ſwallow ſome probable Interpretation of Scripture; and then digeſting it into his Homilies, and applying it in Dehortations, and Encouragements, as the Occaſions and Diſeaſes of his Auditory, or his Age require, and imagining thereupon delightful and figurative Inſinuations, and ſetting it to the Muſick of his Style, (as every Man which is accuſtomed to theſe Meditations, ſhall often find in himſelf ſuch a ſpiritual Wantonneſs, and devout Straying into ſuch Delicacies,) that Sence which was but probable, grows neceſſary, and thoſe who ſucceed, had rather enjoy his Wit, than vex their own; as oftentimes we are loth to change or leave off a counterfeit Stone, by reaſon of the well Setting thereof. 3. By what means many Places of Scriptures have been otherwiſe accepted, than they intend.

By this means, I think, it became ſo generally to be believed, that the Fruit which *Eve* eat, was an Apple; and that *Lot*'s Wife was turned to a Pillar of Salt; and that *Abſalon* was hanged by the Hair of the Head; and that *Jephthah* killed his Daughter; and many other ſuch, which grew currant, not from an Evidence in the Text, but becauſe ſuch an Acceptation, was moſt uſeful, and appliable. Of this Number, *Judas*'s Caſe might be.

But if it were not, that Act of killing himſelf, is not added to his Faults in any place of Scriptures; no not in thoſe (f) Two Pſalms of particular Accuſations, and bitter Imprecations againſt him, as they are ordinarily 4. *Judas* not accuſed of this in the Story, nor in the Two Prophetical Pſalms of him.

(f) *Pſal.* 69. & 109.

narily taken to be Prophetically purpoſed and directed.

5. *Origen's* Opinion of his Repentance.

And even of this Man, whoſe Sin, if any can exceed Mercy, was ſuch, *Origen* durſt hope, not but of his erronious Compaſſion, and ſinful Charity, by which he thinks that even the Devil ſhall be ſaved, but out of *Judas*'s Repentance. He ſays, (*g*) [*The Devil led him to the Sin, and then induced him to that Sorrowfulneſs which ſwallowed him.*] But ſpeaking of his Repentance, he ſays, (*h*) [*Theſe Words*, when *Judas* ſaw that he was condemned, *belong to* Judas *himſelf, for Chriſt was not then condemned.*] And upon this Conſcience and Conſideration, began his Repentance. [*For, it may be*, ſaith *Origen*, *that Satan which had entred into him, ſtayed with him till Chriſt was betray'd, and then left him, and thereupon Repentance followed.*] And perchance, ſays he, [He went to prevent, and go before his Maſter, who was to die, and ſo to meet him with his naked Soul, that he might gain Mercy by his Confeſſion and Prayers.]

6. *Calvin* acknowledges all Degrees of Repentance which the Roman Church requireth, to Salvation, to have been in *Judas*.

And (*i*) *Calvin*, (though his Purpoſe be, to enervate and maim,) (or at leaſt, declare it to be ſo defective,) that Repentance which is admitted for ſufficient in the *Roman Church*, ſays, that [*In* Judas *there was perfect Contrition of Heart, Confeſſion of the Mouth, and Satisfaction for the Money.*]

But (*k*) *Petilian*, againſt whom St. *Auguſtine* writes, proceeded further in Juſtification of *Judas*'s laſt Act, than any. For he ſaid, [*That*

(g) *Ex not. Em. Sá in Mat.* 27. (h) *Aquin. Catena aurea.* (i) *In Matt.* 27. 4. (k) 23. *Q.* 5. *Tu dixiſti, Gloſ.*

[*That in ſuffering Death when he repented, and ſo was a Confeſſor, he became a Martyr.*] Which Opinion being pronounced ſingularly, and undefenſibly; (*l*) St. *Auguſtine* anſwers as cholerickly, [*Laqueum talibus reliquit.*] Yet St. *Auguſtine* himſelf confeſſeth, that an innocent Man, ſhould more have ſinned in ſuch an Act, than *Judas* did, becauſe in his Execution there were ſome Degrees of Juſtice.

7. *Petilianus* his Opinion of his Martyrdom.

But of his actual Impenitence, I purpoſed not to ſpeak, nor of his Repentance, but only to obſerve to you, that this laſt Fact is not imputed to him, nor Repentance ſaid to be precluded thereby.

8. *Judas's* Act had ſome Degrees of Juſtice by St. *Auguſtine.*

Sect. VIII.

For the Paſſive Action of *Eleazar*, none denies, but that that endangering of himſelf, was an Act of Vertue: Yet it was a Forſaking and Expoſing himſelf to certain Deſtruction.

1. Of *Eleaz. Macab.* 1. 6. 45. *Joſ. Ant.* 12. 5.

For every Elephant had Thirty Two Men upon him: And was guarded with One Thouſand Foot, and Five Hundred Horſe: And this which he ſlew, was in his Opinion, the King's Elephant, and therefore the better provided.

2. All confeſs that an Act of Vertue.

3. The Deſtruction was certain.

Howſoever he might hope to eſcape before the very Act of Killing the Elephant, by creeping under it, was a direct killing of himſelf, as expreſly as *Sampſon* pulling down the Houſe.

4. He did as much to his own Death as *Sampſon.*

And

(l) *Ibid. Si non licet.*

5. The Reasons of his Act in the Text.

And the Reasons of this Action, are rendered in the Text to have been, To deliver his People, and to get a perpetual Name.

6. S. *Ambrose* his extolling thereof.

And this Fact doth St. *Ambrose* extol by many glorious Circumstances: As, [*That he flung away his Target, which might have shelter'd him, that despising Death, he forced into the midst of the Army, and* Incluſus ruina, magis quam oppreſſus, ſuo eſt Sepultus Triumpho; *And that by Death he begot Peace, as the Heir of his Valour.*]

7. *Cajetanus* his Reason for *Eleazer's* Justification, appliable to very many other Cases of *Self-homicide.*

And as very many School-men have intended and exerciſed their Wits in the Praiſe of this Action, ſo (*a*) *Cajetan* gives ſuch a Reaſon thereof, as is appliable to very many *Self-homicides.* [That to expoſe our ſelves to certain Death, if our firſt End be not our own Death, but common Good, it is lawful. For, ſaith he, Our Actions which be morally good or bad, muſt be judged to be ſuch, by the firſt Reaſon which moves them, not by any Accident, or Concomitance, accompanying, or ſuceeding them, though neceſſarily.] And this Reſolution of *Cajetan*, will include many Caſes, and Inſtances, which are headlongly by intemperate Cenſures condemned.

SECT.

(*a*) *Cajet. in* 16. *Judg.*

Sect. IX.

The Fall of *Raſis*, which is the laſt Example, is thus reported. [*He was beſieged and fired; willing to die manfully, and eſcape Reproach, unworthy of his Houſe, he fell upon his Sword; for haſte, he miſt his Stroak, and threw himſelf from the Caſtle Wall; yet roſe up again, and ran to a high Rock, took out his own Bowels, and threw them among the People, calling upon the Lord of Life and Spirit, and ſo died.*] 1. *Raſis* Mac. 2. 14. 2. His Reaſons in the Text.

Which Act the Text accuſeth not; nor doth St. (*a*) *Thomas* accuſe it of any thing elſe, but that it was Cowardlineſs. Which alſo (*b*) *Ariſtotle* imputes to this Manner of Dying, as we ſaid (*c*) before.

But either he ſpoke at that Time, ſerviceably and advantagiouſly to that Point which he had then in Hand; or elſe he ſpoke, *Ut plurimum*, becauſe for the moſt part Infirmities provoke Men to this Act. 3. Whether it be Fuſillanimity, as *Aqui. Aug.* and *Ariſtot.* ſays.

For (*d*) St. *Auguſtine* who argues as earneſtly as *Ariſtotle*, that this is not Greatneſs of Mind, confeſſeth yet, that in *Cleombrotus* it was: Who only upon reading *Plato*'s *Phœdo*, killed himſelf; for, ſaith *Auguſtine*; [*When no Calamity urged him, no Crime, either true, or imputed, nothing but Greatneſs of Mind moved him, to apprehend Death, and to break the ſweet Bands of this Life.*] And though he add, [*That it was done rather* Magne *than* Bene;] yet by this, that which we ſeek now is 4. St. *Aug.* confeſſes that to have been Greatneſs of Mind in *Cleombrotus*.

(a) *Aquin.* 22. q. 64. ar. 5. (b) *Ariſtotelis Ethic.* l. 3. c. 7. (c) *Supra*, fo. 130. (d) *Auguſt. de Civit. Dei*, l. 1. c. 22.

is in Confeſſion, that ſometimes there is in this Act, Greatneſs and Courage. Which upon the ſame Reaſon which moved *Ariſtotle*, and all the reſt, which is, to quench in Men their natural Love to it, he is loth to afford in too many Caſes.

5. How much great Examples govern.

For he (*e*) ſays, [*That, except* Lucrece, *it is not eaſie to find any Example worth the preſcribing, or imitating, but* Cato: *Not becauſe he only did it, but becauſe being reputed learned and honeſt, Men might juſtly think, that that was well done, and might well be done again, which he did.*] Yet for all this, he is loth to let *Cato*'s Act paſs with ſo much Approbation, for he adds, [That yet many of his learned Friends thought it a Weakneſs to let him die ſo.] And this he doth becauſe when Men have before them the Precedent of a brave Example, they contend no further, than what he did, not why.

For it is truly ſaid, (*f*) [Examples do not ſtop, nor conſiſt in the Degree where they begun, but grow, and no Man thinks that unworthy for him, which profiteth another.] Yet, St. *Auguſtine* though upon this Reaſon loth to give Glory to many Examples, allows all Greatneſs and Praiſe to *Regulus*, (*g*) of whom we ſpake before: Though, to my Underſtanding there are in it many Impreſſions of Falſhood, and of Oſtentation, from all which *Cato*'s Hiſtory is delivered.

And, to end this Point, whether it be always Puſilanimity, *Laertius* ſays, (*h*) [*That in* Antiſthenes *the Philoſopher*, Videbatur firme mollius,

(*e*) Cap. 23. (*f*) *Vell. Paterc. de morte Grac.* (*g*) *Supra.* (*h*) *Diog. Laer.* l. 6.

mollius, *that lying extream ſick, and* Diogenes *asking him, If he lacked a Friend, (meaning to kill him,) and offering him alſo his Dagger, to do it himſelf, the Philoſopher ſaid, he deſired an End of Pain, but not of Life.*]

6. That it was reputed Cowardlineſs in *Antiſthenes*, extreamly ſick not to kill himſelf.

As therefore this Fact of *Raſis*, may have proceeded from Greatneſs, ſo is it by *Lyra* excuſed from all Sin, by Reaſons appliable to many other. For he ſays, [Either to eſcape Torment, by which probably a Man might be ſeduced to Idolatry, or take away Occaſion of making them reproach God in him, a Man may kill himſelf: For, ſaith he, Both theſe Caſes, *Ordinantur in Deum.*]

7. Upon what Reaſons *Lyra* excuſeth this and like Actions.

And this (*i*) *Francis a Victoria* allows as the more probable Opinion.] And (*k*) *Sotus* and (*l*) *Valentia*, follow *Thomas* his Opinion herein: And *Burgenſis* condemns it upon this Preſumption, That he could not do this for Love of the common Good, becauſe this could not redeem his People, being already captive. So that his accuſing him helps us thus much, that if by his Death he could have redeemed them, he might lawfully have done it.

8. *Burgenſis*'s Reaſons confeſſes he might have had juſt Cauſes.

O CON-

(i) *Relect. de Homicid. reſp. ad ult. argum.* (k) *Sotus l. 2. de Juſt. q. 3. ar. 8.* (l) *Valen. Tom. 3. diſp. 5. q. 8.*

CONCLUSION.

1. Why I refrain'd Diſcourſe of Deſtiny herein.

AND this is as far as I allowed my Diſcourſe to progreſs in this Way; forbidding it earneſtly all dark and dangerous Seceſſions and Divertings into Points of our Free-will, and of God's Deſtiny: Tho' allowing many ordinary Contingencies, to be under our Election, it may yet ſeem reaſonable, that our main Periods, of Birth, of Death, and of chief Alterations in this Life, be more immediately wrought upon by God's Determination. It is uſefully ſaid, and appliable to good Purpoſe, (tho' (a) by a wicked Man, and with Intention to croſs *Moſes*, [*That Man was made of Shadow, and the Devil of Fire.*] For as Shadow is not Darkneſs, but groſſer Light, ſo is Man's Underſtanding in theſe Myſteries, not blind but clouded. And as Fire doth not always give Light (for that is accidental, and it muſt have Air to work upon,) but it burneth naturally, ſo that Deſire of Knowledge which the Devil kindles in us, (as he doth as willingly bring Bellows to inflame a Heart curious of Knowledge, as he doth more Aſhes to ſtupifie and bury deeper, a ſlumbering Underſtanding) doth not always give us Light, but it always burns us, and imprints upon our Judgment ſtigmatical Marks, and at laſt ſears up our Conſcience.

2. Man made of Shadow, and the Devil of Fire, by the *Alcoran*.

3. Our Adverſaries Reaſons contradict one another.

If

(a) *Alcor. Azo.* 65.

If then Reaſons which differ from me, and my Reaſons be otherwiſe equal, yet theirs have this Diſadvantage that they fight with themſelves, and ſuffer a Civil War of Contradiction. For many of their Reaſons incline us to a Love of this Life, and a Horrour of Death, and yet they ſay often, that we are too much addicted to that naturally. But it is well noted by (*b*) *Alcuinus*, (and I think from St. *Auguſtine*,) [*That though there be Four Things which we muſt love, yet there is no Precept given upon any more than Two, God and our Neighbour.* So that the other which concerns our ſelves, may be pretermitted in ſome Occaſions.

4. No Precept given to love our ſelves.

But becauſe of the Benefits of Death, enough hath been occaſionally interſerted before, having preſented (*c*) *Cyprian*'s Encouragement to it, who out of a Contemplation that the whole Frame of the World decayed and languiſhed, cries to us, [Nutant parietes. *The Walls and the Roof ſhake, and would'ſt thou not go out? Thou art tired in a Pilgrimage, and would'ſt thou not go home?* I will end with applying (*d*) *Auſonius*'s Thanks to the Emperor, to Death, which deſerveth it better, [*Thou provideſt that thy Benefits, and the Good which thou bringeſt ſhall not be tranſitory; and that the Ills from which thou delivereſt us, ſhall never return.*] Since therefore becauſe Death hath a little Bitterneſs, but medicinal, and a little Allay, but to make it of more Uſe, they would utterly recline and avert our Nature from it, (as (*e*) *Paracelſus* ſays,) of that foul

5. Encouragements to Contempt of Death.

(b) *Alcuin. Ep.* 23. (c) *Cypr. Serm. de Mortalitate.* (d) *Gratiar. act. de Conſ.* (e) *Chyrurgia mag. de ulcer.*

contagious Diſeaſe which then had invaded Mankind in a few Places, and ſince overflown in all, that for Puniſhment of general Licentiouſneſs, God firſt inflicted that Diſeaſe, and when the Diſeaſe would not reduce us, he ſent a ſecond worſe Affliction, which was ignorant, and torturing Phyſicians.

So I may ſay of this Caſe, that in Puniſhment of *Adam*'s Sin, God caſt upon us an infectious Death, and ſince hath ſent us a worſe Plague of Men, which accompany it with ſo much Horrour and Affrightment, that it can ſcarce be made wholſome and agreeable to us. That which (f) *Hippocrates* admitted in Caſes of much Profit, and ſmall Danger, they teach with too much Liberty, [*That worſe Meat may be given to a Patient, ſo it be pleaſanter, and worſe Drink, ſo it be more acceptable.*] But though I thought it therefore needful, to oppoſe this Defenſative, as well to re-encourage Men to a juſt Contempt of this Life, and to reſtore them to their Nature, which is a Deſire of Supream Happineſs in the next Life by the Loſs of this, as alſo to rectifie, and wiſh again their Fame, who religiouſly aſſuring themſelves, that in ſome Caſes, when we were deſtitute of other Means, we might be to our ſelves the Stewards of God's Benefits, and the Miniſters of his merciful Juſtice, had yet, being, (g) (as *Ennodius* ſays,) Innocent within themſelves, incurred *Damnum Opinionis*, yet, (as I ſaid before) I abſtained purpoſely from extending this Diſcourſe to particular Rules, or Inſtances, both becauſe I dare not profeſs my ſelf

6. Why I abſtain from particular Directions.

7. Laws forbid ordinary Men to cure by extraordinary Means, yet the Kings of *England*, and *France*, and *Spain* cure to.

a

(f) *Aphor.* l. 2. 38. (g) *Ennodius ad Celul.*

a Maſter in ſo curious a Science, and becauſe the Limits are obſcure, and ſteepy, and ſlippery, and narrow, and every Error deadly, except where a competent Diligence being fore-uſed, a Miſtaking in our Conſcience may provide an Excuſe.

As to cure Diſeaſes by Touch, or by Charm, (both which one (*h*) excellent Chyrurgeon, and one (*i*) excellent Philoſopher, are of Opinion may be done, becauſe what Vertue ſoever the Heavens infuſe into any Creature, Man, who is All, is capable of, and being born when that Vertue is exacted, may receive a like Impreſſion, or may give it to a Word, or Character made at that Inſtant, if he can underſtand the Time) though theſe, I ſay, be forbidden by divers Laws, out of a juſt Prejudice that vulgar Owners of ſuch a Vertue, would miſ-imploy it, yet none miſlikes that the Kings of *England* and *France*, ſhould cure one Sickneſs by ſuch Means, nor (*k*) that the Kings of *Spain*, ſhould diſpoſſeſs Dæmoniack Perſons ſo, becauſe Kings are juſtly preſumed to uſe all their Power to the Glory of God: So is it fit, that this Priviledge of which we ſpeak ſhould be contracted and reſtrained.

For, that is certainly true of this, which (*l*) *Caſſianus* ſaith of a Lye, [*That it hath the Nature of* Ellebore, *wholſome in deſparate Diſeaſes, but otherwiſe Poyſon.*] Though I dare not aver with him, [*That we are in deſparate Diſeaſes, whenſoever we are* in ingenti Lucro, aut

(h) *Paracelſus Chyrurg. Mag. tract.* 2. *cap.* 8. & *de tranſ. cap.* 10. (i) *Fet. Pomp. de incant.* c. 4. (k) *Caſſanus Catal. glo. mun. par.* 5. *conſider.* 2. (l) *Caſſian.* l. 17. c. 17. *ad* 25.

8. As *Hier. Orig. Chryſ.* and *Caſſianus* are excus'd for following *Plato* in the Toleration of a Lye, becauſe the Church had not then pronounced, ſo may it be in this.

aut Damno, & in Humilitate, ad evitandam Gloriam.] Howſoever if *Caſſianus* miſtake that, and we this, yet (*m*) as he, and *Origen*, and *Chryſoſtome*, and *Hierome*, are excuſed for following *Plato*'s Opinion, that a Lye might have the Nature of Medicine, and be admitted in many Caſes, becauſe in their Time the Church had not declared her ſelf in that Point, nor pronounced that a Lye was naturally Ill, by the ſame Reaſon am I excuſable in this Paradox. Againſt the Reaſons whereof, and againſt Charity, if Prejudice or Contempt of my Weakneſs, or Miſ-devotion have ſo precluded any, that they have not been pleaſed to taſte and digeſt them, I muſt leave them to their Drowſineſs ſtill, and bid them enjoy the Favour of that indulgent Phyſician, *Qui non concoxit, dormiat.*

Cornelius Celſus ſent. 15.

(m) *Obſervat. in Caſſian. in finel. fo.* 740.

FINIS.